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Plans for Emergency Meeting of WAPA Board to Fast Track Pending Items Scrapped as Bill 34-0026 Makes Sweeping Changes to Utility's Governance

WAPA / **Published On August 19, 2021 07:38 AM /**

Ernice Gilbert **August 19, 2021**

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WAPA's Richmond Power Plant By. VI CONSORTIUM

While Governor Albert Bryan contemplates his next steps following actions by the 34th Legislature to bring about change to the governance of WAPA, members of the embattled utility's governing board and the authority's top management were reportedly planning various board meetings, despite the fact that recent actions of the Legislature made sweeping changes to the board's composition.

Government insiders familiar with the authority's plans have told the Consortium that a meeting of the board's Finance and Audit Committee and even an emergency board meeting was being

planned for today, however those plans were abruptly scrubbed at the last minute.

Meetings of two committees are usually held prior to the board monthly meeting to vet various items. Earlier this week, the authority's top management, led by Interim Director Noel Hodge, was seeking the board's hosting of an emergency meeting today to take final action on all items scheduled to be considered by the committee. The action would have fast-tracked approval and bypass committee consideration of the authority's annual operating and capital budgets, amendments to a contract with auditing firm BDO, and a health insurance package for the authority's employees and retirees.

The insiders, who requested anonymity to speak freely, said it has become apparent that WAPA's management is uncertain about the future given the legislatively mandated changes to the board, and was seeking to use the old board structure to render a quick approval to the budgets and other items.

Under the previous board chairman, Property and Procurement Commissioner Anthony D. Thomas who held the position for two years, WAPA's management faced little resistance. More times than not, the board acquiesced to proposals from management and the few board members who questioned or raised objections to the recommendations of management were branded as naysayers or critics, said the insiders. On many occasions, Mr. Thomas clashed openly with then-board vice chairman Jed JohnHope during discussions with WAPA's management team as the Crucian businessman and economics powerhouse drilled down on what he termed questionable financial and management decisions the authority had arrived at.

Late Wednesday afternoon, plans for either a committee or emergency board meeting today were scrapped, reportedly at the urging of the board's counsel. It is a widely held belief that the provisions of Bill 34-0026, which changed the makeup of the governing board took effect immediately once the Senate voted to override Mr. Bryan's veto. The previous board ceases to exist and cannot act. Two emails circulated by the board secretary to various WAPA personnel noted that the Finance and Audit Committee meeting was postponed and that the emergency board meeting that was scheduled for today, but not announced publicly, was postponed until further notice.

On Tuesday morning, Mr. Bryan huddled with WAPA top management, legal eagles from Government House and the Justice Department, Energy Office Director Kyle Fleming and others to discuss options available to the governor following the Senate's veto override of Bill No. 34-0026.

One of the options available to Mr. Bryan is to seek the court's intervention on the basis that the bill encroaches on the rights of the governor to administer boards and commissions. Mr. Bryan used his [May 19 veto message](#) to enumerate what he said were violations of the separation of powers doctrine with the legislation. The governor told the Consortium Tuesday night that he had not made a final decision regarding challenging the Senate's veto override, which effectively made the bill law.

Bill 34-0026 is now the law of the land and calls for only one government official to sit on the WAPA board, the director of the V.I. Energy Office. The government officials that previously sat on the board and now are odd men out include most recent chairman, Property and Procurement Commissioner Anthony D. Thomas and Bureau of Internal Revenue Director Joel Lee. Aside from the Energy Office director, the board will consist of six non-governmental members. The private sector members currently include longtime board secretary Juanita Young, business

owners Hubert Turnbull, Elizabeth Armstrong and Cheryl Boynes Jackson. John Hope, another private sector member who was appointed by Bryan is [reported to have resigned](#) from the board although neither the WAPA board or Mr. Bryan have formally announced the businessman's separation.

All non-governmental board members nominated to the WAPA board must gain Senate approval.

The new law requires the private sector members to have formal education or experience in engineering; power generation; energy; natural resources conservation, environmental science, planning; economics; accounting; finance; public affairs; law or computer technology information systems.

The changes to the law pertaining to the governing board come months after a leadership shake up at WAPA. Executive Director Lawrence Kupfer departed when his contract ended at the end of February; Mr. Kupfer's Special Advisor Greg Rhymer retired after the board defunded his position, ordered him removed and attempts to have him reinstated as a senior director in the company failed. Clinton Hedrington, Jr. also retired at around the same time. The former chief operating officer of the Electric System had been eyeing retirement since 2020 but delayed his departure on several occasions at Kupfer's behest.

In recent weeks there has been widespread speculation that Mr. Bryan was giving thought to tapping WAPA Human Resources Director Sabrina King Leonce as director of the Division of Personnel. The top slot at Personnel has become vacant since Dayna Clendinen transferred to a position within the Virgin Islands Housing Finance Authority. Since Ms. Clendinen's departure, Florine Audain Hassel has been serving as acting director of Personnel in the central government, a position budgeted at \$112,000 per annum.