

**Washington County Service Authority Board of Commissioners
October 22, 2007 Regular Meeting Minutes**

The regular meeting of the Washington County Service Authority Board of Commissioners was called to order by the Chairman at 7:00 PM.

ROLL CALL

Commissioners Present:

Mr. Sam Blaylock
Mr. Gerald Cole, Chairman
Mr. Scott Rector, Vice-Chairman
Mr. Joe Chase
Mr. Frank Stephon, IV
Mr. D.L. Stout

Commissioners Absent

Mr. Daniel Reynolds

Staff Present:

Robbie Cornett, Interim General Manager
Kim Roberts, Controller
Doug Canody, Chief Engineer
Ella Ratcliffe, Information Systems Manager
Rick Clevenger, Water Treatment Plant Manager

Consultants Present:

Bill Aden, PE, Draper Aden Associates
Randall Hancock, PE, Draper Aden Associates
Matthew Lane, PE, Lane Engineering
Kevin Heath, PE, Adams-Heath Engineering

Also Present:

Ms. Dawn Figueiras, General Counsel
WCSA Employees

3. Public Query and Comments

Mr. Walter McNew from 27158 Rich Valley Road addressed the Board stating that he was still looking for some answers on their request for water service. He stated that almost every resident in this community's water had shown to be contaminated. He said that four residents' wells had recently dried up. He was hoping that they could

have some relief soon. He said that he had spoken to Mr. Rector and he had recommended that he come before the Board and see if there was any way to get any other type of funding for this project. Mr. Cornett informed Mr. McNew that they still did not have the official word from the Health Department on whether this project would be funded. Mr. Cornett stated that he had talked to the Health Department and he didn't want to give him any false hope but they said that they may fund the project. He hoped they would have an answer by the end of the month. Mr. Cornett said that they had also heard from another person in his neighborhood named Jim Turley and he had been in touch with Delegate Johnson, Congressman Boucher and Senator Wampler in an effort to get this project approved. Mr. McNew stated that he had tried to contact Eric Herold with the Health Department. Mr. Herold had said that since the water was bad that there was a possibility that there would be funding. He said he had tried to contact Mr. Herold four to five times again in the last week but was unable to get in touch with him.

4. Approval of Agenda

Mr. Cornett stated that he had no changes to the agenda. A motion was made by Mr. Chase to approve the agenda. Mr. Chase's motion was seconded by Mr. Rector and approved by a 6-0-1 vote.

5. Consent Agenda

- Minutes from August 13, August 27 and September 24, 2007
- Routine Reports

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- Financial Statements for July and August 2007
- Check Register ending 08/31/07 and 09/28/07

Items removed from Consent Agenda

None

Mr. Chase made a motion to approve the Consent Agenda. Mr. Chase's motion was seconded by Mr. Stout. The motion was approved by a 6-0-1 vote.

6. Engineer's Report and Update

Mr. Bill Aden and Mr. Randall Hancock with Draper-Aden reported on the following projects:

Sewer O & M Analysis

Mr. Hancock reported that they are continuing to work with the staff with the negotiations with the agreement that had been proposed with the Town of Abingdon and the City of Bristol.

Seven Springs Secondary Supply

Mr. Hancock reported that they had submitted the PER to the staff for review and then would be sending the PER to the Health Department for approval. They had received the final review comments from the staff and they would complete the final design for the Health Department review.

Glove Drive Waterline Improvements

Mr. Hancock reported that they had submitted the PER to the staff to review and they would be sending it to the Health Department. They have already completed the preliminary design and are working on the final design. They had received the final review comments

from the staff and they would complete the final design for the Health Department review.

Route 58 Water Storage Facilities

Mr. Hancock reported that WCSA is trying to obtain some additional surveying for the access road. He stated that after they receive this they can work out some final profiles. He also said that they needed to obtain the easement with Boring Contractors. They could then finish with the preliminary engineering.

Route 58/Watauga Road Waterline Improvements

Mr. Hancock reported that they had submitted the final plans to WCSA staff and the Virginia Department of Health and are waiting for approval. He stated that all of the easements had been obtained and they would be rapidly moving ahead on this project. He said that they had recommended to the staff to go ahead and advertise this project for bid.

Mr. Cornett requested that the Board make a motion to approve the advertising of the Route 58/Watauga Road Improvement Project. A motion was made by Mr. Stephon to authorize Draper Aden Associates to advertise for this project. Mr. Stephon's motion was seconded by Mr. Rector and passed by a unanimous vote.

Southern Rivers Watershed Enhancement Program

Mr. Hancock reported that they were working with the staff, DEQ and the Health Department on filling out the applications to apply for this funding. He said that DEQ did give some information that looked favorable for the funding.

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Mr. Matthew Lane with Lane Engineering reported on the following projects:

Lime Hill/Walker Mountain Road Project

Mr. Lane reported that the plans have been approved by the WCSA staff and the Department of Health. The environmental assessment has been completed. He reported that Mr. Ernie Sutherland had most of the easements obtained for this project. The plats for the pump station and the pressure tank vault have been completed. Mr. Lane stated that Mr. Sutherland has spoken to all of the property owners and had received a verbal agreement to obtain the necessary land for the project. He said that this project was ready for bid with the authorization from the staff. Mr. Cornett stated that in the past they usually did not approve advertising the project until all easements had been obtained. He hoped they would have all of them before the next meeting. Mr. Lane commended Mr. Sutherland on the great job that he done in obtaining all the necessary information needed for this project.

Mr. Kevin Heath reported on the following projects:

White's Mill Road

Mr. Heath stated that they had continued to work with the WCSA staff on a potential alternative for the tank site for this project. He stated that WCSA is still obtaining easements for this project and was close to having them all soon.

Orchard Hill Road

Mr. Heath stated that they received comments from the Health Department and responded to those and had also

received approval to proceed. He stated the remaining items would be to secure the permits for stream crossings to be done. He stated that they were also reviewing any comments that have been presented by the WCSA staff.

Mr. Stout questioned whether the Town of Damascus had received their funding for the Orchard Hill project and wondered what would happen if we did not receive the funding. Mr. Cornett stated this was already on our Capital Project list and we would be funding this ourself.

7. General Manager's Report and Update

Mr. Cornett reported on the following:

Significant Field Work

- 44 leaks were repaired
- 8 breaks were repaired
- 30 water taps made
- 2 wastewater taps made
- 45 after hours maintenance call-outs
- 188 customers were telephoned following unusually high usage
- 346 customers were notified that their water was to be turned off
- \$5,351.00 was abated for 35 customers with water leaks

Construction in Progress

- Mr. Cornett presented the Board with a handout of all the projects that are currently in progress.

Administrative Items

- Mr. Cornett presented a recently published article by Municipal Sewer and Water Magazine regarding improvements efforts of WCSA in recent years. He also showed them a plaque that had been presented to us showing this information. He stated that it was an

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- honor to be recognized in a national publication.
- WCSA has set several new records for water production this year. For the month of May 2007 our average daily production was 7.52 MGD. This was not only record for any May but exceeded any month in our history. Our previous all time high was 7.4 MGD set in August 2006. Then, in August this year, our average daily production was 7.63 breaking the all time record just set in May.
 - Mr. Cornett recognized the following Authority employees who had reached milestones in their years of service at WCSA – Don Cole- 5 years, Wesley Saltz- 5 years, Ken Perrigan- 10 years, Henry Osborne- 10 years, Rick Clevenger- 15 years, Gilmer Mann- 25 years, Ronnie Sullins- 30 years, Johnny Lester- 30 years, Gary Van Huss- 30 years, Raymond Sullins- 40 years of service. Mr. Cole commended these employees on their years of service with the Authority and he knew that they had a difficult task with all types of weather that they had to work in. He said that he couldn't say enough good things about what they do and they did a phenomenal job. He also said that he couldn't believe that in all of the travels in his job that he didn't think that any other water Authority did such a superior job as WCSA is doing. He congratulated everyone again for all their efforts.

8. By-Laws Amendments

Ms. Dawn Figueiras presented a handout to Board concerning a proposed change to the current By-Laws of the Authority. She presented two different scenarios that the Board could consider to clarify the current procedure. One

consideration presented stated that all resolutions adopted, or other actions taken by the Board of Commissioners of the Washington County Service Authority shall require an affirmative vote be a majority of the members of the Board of Commissioners. If fewer than all members of the Board of Commissioners are present for the vote, but a quorum is present as provided in Section 5, all resolutions adopted, or other actions taken by the Board of Commissioners of the Washington County Service Authority shall require an affirmative vote by a majority of those members of the Board of Commissioners who are present for the vote. Each member of the Board of Commissioners of the Washington County Service Authority shall be entitled to and have a vote on all matters coming before the Board of Commissioners. She said the other alternative suggested stated that all resolutions adopted, or other actions taken by the Board of Commissioners of the Washington County Service Authority shall require an affirmative vote by a majority of the total members of the Board of Commissioners, whether all members of the Board are present during such vote or not. Each member of the Board of Commissioners of the Washington County Service Authority shall be entitled to and have one vote on all matters coming before the Board of Commissioners.

Mrs. Figueiras requested that the Board take these into consideration and adopt one of the proposed changes. She said that she did recommend that some changes be

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made to clarify the matter. A motion was made by Mr. Rector to accept the second resolution which indicated that a majority of the total Board must be present to adopt a resolution. Mr. Rector's motion was seconded by Mr. Stephon and passed by a unanimous vote. Mrs. Figueiras also recommended that Board consider adopting Article II and adding a new Section 7 to the By-Laws which would incorporate that any annual, monthly, or special called meeting may be called to order and conducted by the Chairman of the Board. In the Chairman's absence, any meeting may be called to order and be conducted by the Vice-Chairman, and the presence of a quorum as required in Section 5, the Commissioner who has the longest continuous period of service on the Board of the Authority may call the meeting to order and conduct the meeting. A motion was made by Mr. Stout to adopt the Article II, Section 7 of the By-Laws. Mr. Stout's motion was seconded by Mr. Rector and passed by a unanimous vote.

9. Raw Water Intake and Water Treatment Plant Procurement Committee

Mr. Doug Canody addressed the Board stating that they had received proposals from Engineering firms for the proposed Water Intake and Water Treatment Plant Extension. He reported that they had received interest from 19 Engineering firms that had inquired about the project. He stated that out of the 19 firms that had inquired about the project we had 7 proposals from a total of 10 firms. He stated that the reasoning

for this was because some of the firms were working in partnership with one another to submit a proposal. He stated that they did have a lot of responses from firms in Tennessee. Mr. Canody stated that in this point in time that they had appointed a committee with staff to evaluate the proposals. He also said that it had been customary in the past that at least two members of the Board be nominated to serve on this committee. Mr. Canody requested that Board consider appointing two to three members to this committee. Mr. Stout stated that he had spoken to Mr. Rector and Mr. Reynolds prior to the meeting and would like to make a motion recommending both of them to serve on the committee. Mr. Stout's motion died for a lack of a second. Mr. Cole opened the floor for more nominations to serve on the committee. Mr. Stephon and Mr. Rector volunteered to serve on the committee. A motion was made by Mr. Chase that Mr. Stephon and Mr. Rector serve on the committee. Mr. Chase's motion was seconded by Mr. Blaylock and was passed by a 4-2-1 vote with Mr. Stephon and Mr. Rector abstaining.

10. Consideration of Policy Amendment

Mr. Cornett stated that in the Board update dated October 12th, 2007 a customer had requested the Board consider amending the high bill abatement policy to include vandalism. He stated that this was not a dispute because the customer had already had the vandalism and it had been resolved because he had already paid the bill. Mr. Cornett stated for a variety of reasons he

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cautioned the Board not to recommend changing this policy. He said that it would be very difficult for the Authority to confirm that the vandalism actually happened. He felt like this would open the possibility for the policy to be abused. Mr. Chase stated that he felt like this could become a nightmare to keep up with and Mr. Blaylock commented that he felt the only way this might work is if the landowner had a police report to confirm that the vandalism did actually occur. The Board did not take any action on changing the policy on this matter.

11. Closed Meeting, Investment of Public Funds and Acquisition and Disposition of Property

Mr. Stephon moved that the Board adjourn to Closed Meeting in accordance with the Virginia Freedom of Information Act, Code of Virginia Section 2.2-3711 Paragraph A (6): Investment of Public Funds, Discussion or Consideration of the investment of public funds where competition or bargaining is involved where if made public initially the financial interest of the governmental unit could be adversely affected and Code of Virginia Section 2.2-3711 Paragraph (A) (3): Acquisition and Disposition of Property; the discussion or consideration of the acquisition of real property for public purposes, or of the disposition of publicly held property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

In addition to the Board, the presence of Mrs. Dawn Figuerias WCSA Counsel and Mr. Robbie

Cornett, WCSA Interim General Manager are requested. The motion by Mr. Stephon was seconded by Mr. Chase. The motion passed (6-0-1). The Board adjourned to Closed meeting at 7:50 p.m.

Return to Public Session

Upon motion by Mr. Chase and second by Mr. Rector, the Board returned to Public Session at 09:55 p.m.

Certification of Closed Meeting

Whereas, the Washington County Service Authority has convened to a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and Whereas, Section 2.2-3712 Paragraph D of the Code of Virginia requires a certification by this Authority that such Closed Meeting was conducted in conformity with Virginia law; Now, therefore, be it resolved that the Authority hereby certifies that to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Closed Meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the Closed Meeting were heard, discussed or considered by the Authority. The motion passed 6-0-1.

AYE: Mr. Blaylock, Mr. Cole, Mr. Chase, Mr. Stephon, Mr. Stout, Mr. Rector

NAY: none

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Absent: Mr. Reynolds

13. Late Items

Mr. Chase made a motion to authorize Mr. Cornett to negotiate a purchase option on the Whites Mill Road tank site. Mr. Chase's motion was seconded by Mr. Rector and passed with a unanimous vote.

14. Adjournment

Mr. Rector made a motion to adjourn. Mr. Chase seconded. The motion passed 6-0-1. The Board adjourned at 10:00 p.m.

Mr. Gerald Cole ,Chairman

Ella Ratcliffe, Assistant Secretary