

Washington County Service Authority Board of Commissioners
April 23, 2018 Regular Meeting Minutes

1. Call the Meeting to Order

The Regular Meeting of the Washington County Service Authority Board of Commissioners, held in the E. W. Potts, Jr. Board Room located at 25122 Regal Drive, Abingdon, Virginia, was called to order by the Chairman at 6:10 pm.

2. Roll Call - *Chairman*

Commissioners Present:

Mr. Mike White, Chairman
Mr. Jim McCall, Vice Chairman
Mr. Wayne Campbell
Mr. Dwain Miller
Mr. Tim Orfield
Mr. Kenneth Taylor

Commissioners Absent:

Mr. Vernon Smith

WCSA Officers Present:

Robbie Cornett; Secretary, General Manager
Melinda Jett; Treasurer, Controller
Carol Ann Shaffer; Assistant Secretary, Administrative Assistant

General Counsel Present:

Thomas Dene, Esq.; Dene & Dene, P.C.

Consultants Present:

Dennis Amos, PE; Hurt & Proffitt, Inc.
Bobby Lane, PE; The Lane Group, Inc.
Kevin Heath, PE; The Lane Group, Inc.

WCSA Staff Present:

Dave Cheek PE; Operations Manager
Ryan Kiser, PE; Engineering Manager
Holly Edwards; Customer Service
Don Cole; Water Production Manager
Ken Perrigan; Meter Manager

3. Prayer and Pledge of Allegiance

Mr. Taylor opened the meeting in prayer and led the Pledge of Allegiance.

4. Approval of the Agenda - *Chairman*

Mr. Cornett suggested striking Agenda Items 10, 12 and 14 to allow more time for Closed Meeting.

Mr. Taylor motioned to approve the Agenda as suggested. Mr. Miller seconded and the Board approved voting 6-0-0-1.

5. Public Query and Comment - *Chairman*

Jason Lawson of 4329 Potter Road in Bristol Virginia expressed his concern that the wells on Potter Road were going bad and requested the Board's consideration to offer water service to the residents of Potter Road. Mr. Kiser will talk with Mr. Lawson about the feasibility of the project.

6. Approval of the Consent Agenda

A. Approval of Minutes: None

B. Routine Reports: March 2018

- Water Production
- Water Distribution
- Meter Department
- Wastewater Operations
- Customer Service
- Maintenance
- Engineering
- Accounting
- Health & Safety Report

C. Financial Reports: March 2018

- Balance Sheet
- Income Statement
- Check Register / General Manager Financial Statement (*Except for Checks 040341 and 040347*)

D. Consideration of Sick and Vacation Leave Advancement Program - *Robbie Cornett*

E. Consideration of Amendment No. 1 to the Engineering Agreement Between WCSA and Hurt & Proffitt for Exit 13 Phase 3 Sewer Project - *Dennis Amos*

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F. Consideration of Amendment # 4 to the WCSA/Town of Chilhowie Engineering Agreement With The Lane Group for the Mill Creek Regional Water Treatment Plant Upgrade and Improvements Project - *The Lane Group*
G. Consideration of Purchase of Trucks for Middle Fork Water Treatment Plant and Distribution Departments - *Melinda Jett*

After discussing Agenda Item 6D, Mr. McCall motioned to approve the Consent Agenda. Mr. Campbell seconded and the motion carried with a unanimous vote.

7. Consideration of Check Numbers 040341 to Food City – Chairman

As Mr. Orfield is an employee of Mid-Mountain Foods Inc., he abstained from discussions or voting on this agenda item.

Mr. Miller made a motion to approve the above listed checks, Mr. Campbell seconded and the Board approved voting 5-0-1-1.

8. Consideration of Check Number 040347 to King General Contractors – Chairman

Mr. McCall abstained from discussion or voting on Item 8 as he is an employee of King General Contractors.

Mr. Taylor motioned to approve check number 040347. Mr. Campbell seconded and the Board approved with a 5-0-1-1 vote.

9. Legal Counsel Report and Update – Thomas Dene

Mr. Dene had nothing to report.

10. General Manager’s Report and Update – Robbie Cornett

This item was stricken from the Agenda.

11. Water and Wastewater Construction Projects Update – Ryan Kiser

Mr. Kiser reviewed the attached presentation.

During his review, Mr. Kiser asked the Boards permission to advertise the Rich Valley Project pending VDH approval.

Mr. Miller made a motion to approve the advertisement of the Rich Valley Project pending VDH Approval. Mr. Campbell seconded and the Board approved voting 6-0-0-1.

12. Operations Manager’s Report and Update – Dave Cheek

This item was stricken from the Agenda.

**13. Engineer’s Report & Update
The Lane Group – Bobby Lane**

- Water Intake Permit Modification for South Fork and Middle Fork Intakes
- Galvanized Line Replacement Project - Phase III
- Hall Creek Wastewater Treatment Plant – Local Limits
- Mill Creek Water System Improvements

The Lane Group – Kevin Heath

- Abingdon Tank Improvements Project
- Lee Highway Corridor Sewer Project Phase 1 – Study
- Route 58 Water Supply Improvements Project

Hurt & Proffitt – Dennis Amos

- Exit 13 Phase 3 Sewer Design

14. Financial Statement and Cash Reserves Review – Melinda Jett

This Item was stricken from the Agenda.

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15. Consideration of Minimum Water Pressure Requirements – *Dave Cheek*

After discussion of the various standards, no action was taken by the Board. Staff agreed to perform additional pressure logging on Nicholas Street in Abingdon and report back.

16. Closed Meeting – 7:10 pm

Mr. Campbell moved that the Board of Commissioners of the WCSA adjourn to Closed Meeting in accordance with the Virginia Freedom of Information Act, Code of Virginia Section 2.2-3711 Paragraph (A) (1); Personnel

1. To discuss and consider the performance and disciplining of specific public employees of the Washington County Service Authority.

Code of Virginia Section 2.2-3711 Paragraph (A) (7); Actual Litigation

2. Consultation with legal counsel and briefings by staff members pertaining to actual litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of WCSA, specifically involving the case of Washington County Service Authority vs. Bundy, currently pending in the Circuit Court of Washington County, Virginia.

Code of Virginia Section 2.2-3711 Paragraph (A) (29): Contracts

3. To discuss the award of a public contract involving the expenditure of public funds, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Washington County Service Authority, specifically involving the terms, scope and

possible extension of a contract for cell tower marketing.

Code of Virginia Section 2.2-3711 Paragraph (A) (19): Public Safety

4. To discuss plans related to the security of any governmental facility, building or structure, and the safety of persons using such facility, building or structure.

Code of Virginia Section 2.2-3711 Paragraph (A) (3): Acquisition of Real Property

5. Discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically involving the possible acquisition of a well site for the Hidden Valley Project and a pump station for the Sugar Cove Road Project.

Code of Virginia Section 2.2-3711 Paragraph (A) (3): Disposition of Real Property

6. Discussion or consultation of the disposition of publically held real property, where discussion in and open meeting would adversely affect the bargaining position or negotiation strategy of the public body, specifically involving the possible sale of surplus real property held by WCSA.

Code of Virginia Section 2.2-3711 Paragraph (A) (8): Consultation with Counsel

7. Consultation with legal counsel retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically involving possible amendment of the wastewater service area agreement between WCSA, the Board of

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Supervisors, and the Town of Abingdon.

In addition to the Board the presence of Thomas Dene, WCSA General Counsel, and Robbie Cornett, WCSA General Manager, were requested.

Mr. Taylor seconded the Motion of Closed Meeting and the motion carried with a 6-0-0-1 Board vote.

Mr. McCall left Closed Meeting at 9:25 pm and took no part in consideration of Item 6 listed in the motion calling for Closed Session.

17. Return to Public Meeting – 9:40 pm

Mr. Campbell moved that the Board return to Open Session. Mr. McCall seconded and the motion carried with a 6-0-0-1 vote.

Mr. Campbell then read the following Certification of Closed Meeting;

Whereas, the Board of Commissioners of the Washington County Service Authority has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions 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;

And Now, therefore, be it resolved that the Committee of Board of Commissioners of the Washington County Service 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 Board.

Aye by Mr. Miller, Mr. Campbell, Mr. Taylor, Mr. White, Mr. McCall and Mr. Orfield confirming no outside discussion took place other than Closed Meeting topics.

18. Late Items

Mr. McCall moved that the General Manager be authorized to purchase 3,600 square feet of the lands of Mr. Dwayne A. Ball, which lands are described in a deed of record in the Clerk's Office or the Circuit Court of Washington County, Virginia as Instrument Number 130005472, for \$1,700, upon such terms and conditions as the General Manager may deem advisable. Mr. Campbell seconded and the Board unanimously approved voting 6-0-0-1.


Mr. Taylor made a motion to approve the Amendment to the Wastewater Service Agreement among the Town of Abingdon, Washington County Service Authority and Washington County, Virginia subject to and conditioned upon such Amendment being approved by the Board of Supervisors of Washington County. Mr. Orfield seconded and the Board approved with a 6-0-0-1 vote.

Mr. Miller moved that the General Manager be authorized to expend \$2,000 to acquire an option to purchase 1.0 acre of the lands of Ms. Jeanean M. Dillard for \$20,000, which lands are described in deed of record in the Clerk's Office of the Circuit Court of Washington County, Virginia in Deed Book 910, Page 17, upon such terms and conditions as the General Manager may deem advisable. Mr. Taylor seconded and the Board approved voting 6-0-0-1.

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**19. Recess to May 21, 2018 at 4:00 PM
for a 2018-2019 Fiscal Year Budget
Workshop – 9:45 pm - *Chairman***









Mr. Taylor made a motion to recess, Mr. Campbell seconded and the Board approved voting 6-0-0-1.



Mr. Mike White, Chairman



Carol Ann Shaffer, Assistant Secretary

- 1  **General Manager's Report and Update**
April 23, 2017
- 2  **Introduction**
 - ▶ Safety
 - ▶ Financials
 - ▶ Customer Service
 - ▶ Accounting
 - ▶ Notable Items
 - ▶ Looking Ahead
- 3  **Safety**
 - ▶ Ergonomics
 - Ergonomics (or 'human factors') is a branch of science that aims to learn about human abilities and limitations, and then apply this learning to improve people's interaction with products, systems and environments.
 - Ergonomics aims to improve workspaces and environments to minimize risk of injury or harm. So as technologies change, so too does the need to ensure that the tools we access for work, rest and play are designed for our body's requirements.
- 4  **Financials: Water Revenue**
- 5  **Financials: Wastewater Revenue**
- 6  **Financials: Water Expenses**
- 7  **Customer Service**
 - ▶ HomeServe
 - Water Loss Reimbursement Material Expected in _____
 - Managing Publication Review and Approval
 - ▶ Rules and Regulations Update
 - Marathon not a Sprint
 - ▶ Disputes
 - March: 2 Staff Responses; 1 Committee Meeting
 - ▶ Building and Grounds Improvements
 - Replaced Damaged and Faded Signs
 - Restored Seal and Other Signs
 - Budgeting for Lobby Island, Ceiling, Sunshade & Museum
 - Building Carpet Research for Bidding
 - Coordinating Tree Trimming
- 8  **Accounting**
 - ▶ FYE 2019 Budget Composition
 - All Department Managers Involved/Engaged
 - Assimilation of Budgets (Revenue & Expenses) and Comparison to 5-Year Financial Plan
 - ▶ Compensation & Benefit Study
 - March/April: Market Survey, Job Analysis and Assessment
 - 25 Market Survey Responses
 - May: Recommendations

- ▶ Reserve Investment
 - May Recommendation
- ▶ Debt Set-Off Collection
 - 2018: Matched 85 of 1,616 Accounts for \$25,651

9 **Notables**

- ▶ Lee Highway Corridor Sewer Project
 - Working With The Lane Group to Develop a Engineering Agreement to Complete Preliminary Engineering Report
 - March 14, and April 11, 2018: Met With the IDA About Confirming Industrial Sewer Capacity
- ▶ Board of Supervisors
- ▶ Landowner Request to Consider Sell of Property
 - Residual Property Adjacent to Love's Pump Station
 - Requires Public Hearing
 - Board's Pleasure?

10 **Notables**

- ▶ 2018 Legislative Update
- ▶ Virginia Water and Waste Authorities Association
- ▶ Reviewed 3,722 Bills and Resolutions Introduced
- ▶ We Pull out all Legislation (~70) in Certain Categories for Detailed Analysis:
 - Admin. of Govt. FOIA Public Safety
 - Authorities Hazard Materials Public Service Companies
 - Bonds / Debt Health Railroads
 - Boundaries Housing Records Retention
 - Charters Labor & Employment Science & Technology
 - Computer Services Liens Transportation
 - Conservation Local Govt. Waste Disposal
 - Const. Amendments Pensions / Benefits / Retirement Water & Sewer Systems
 - Contracts Personal Property / Tax Workers Compensation
 - Eminent Domain Professions & Occupations *And more ...*
 - Energy Property & Conveyances

Notables

- ▶ 2018 Legislative Updates Continued...
- ▶ Review Weekly Written Reports and Conference Calls
 - Analysis of Select Bills and Resolutions
 - Strategy for Each is Decided (Monitor, Amend, Support, Oppose)
- ▶ Each Targeted Bill or Resolution is Followed Through the House and Senate Process ... and up Until the Governor Amends, Signs, or Vetoes
 - One-on-one Meetings with Legislators
 - Subcommittees
 - Full Committees
 - Ad hoc Meetings
 - Meetings with Agency Staff
 - Meetings with Governor's Office

11 **Notables**

- ▶ 2018 Legislative Updates Continued...
- ▶ We Aim to Work With Other Like-minded Stakeholders on Legislative Strategy on Noteworthy Bills
 - Raise Profile of Bills
 - Coalitions Speak More Loudly and get More Attention
 - Efficient use of Resources
 - Share Political Risks
- ▶ VWWAA is a Respected Organization and it is Easy to Align with Other Partners on Matters of Common Interest
 - VML, VACO, VAMWA & VAMSA, Individual Local Governments, Universities, Other State Agencies

12 Notables

- ▶ 2018 Legislative Updates Continued...
- ▶ What Happened...?
 - HB 97 VPPA: Increases the maximum permissible aggregate or sum of all phases of single or term contracts for professional services that may be procured without requiring competitive negotiation from \$60,000 to \$80,000. (Passed)
 - HB 1475 Sewerage Systems; State Adoption of Federal Criteria: Directs the State Water Control Board (the Board) not to adopt certain U.S. Environmental Protection Agency (EPA) freshwater ammonia water quality criteria (the Criteria) unless the Board includes in such adoption a phased implementation program consistent with the federal Clean Water Act that includes consideration of infrastructure needs of the local community and several other factors. (Passed)

13 Notables

- ▶ 2018 Legislative Updates Continued...
 - HB 1608 Virginia Water Quality Improvement Fund; Publicly Owned Treatment Works Nutrient Reduction: Authorizes the Director of the Department of Environmental Quality (the Department) to issue grants from the Virginia Water Quality Improvement Fund for water quality improvements, including cost effective technologies to reduce loads of total phosphorus, total nitrogen, or nitrogen-containing ammonia, in order to meet certain requirements of ammonia-related regulations that are more stringent than those adopted by the State Water Control Board (the Board). (Passed)

14 Notables

- ▶ 2018 Legislative Updates Continued...
 - HB 1217 Waterworks; Yield Testing; Monitoring of Existing Active Wells: Provides that, prior to issuing a permit to operate a waterworks, the Commissioner of Health shall require a yield test of such waterworks system, which shall include monitoring of all active wells located within 500 feet of the water source for the waterworks system for which the permit is sought or, if no existing active wells are located within 500 feet of such water source, of all existing active wells located on lots that are adjacent to the lot on which the water source is located to determine the impact of the waterworks for which a permit is sought on such existing active wells. The Commissioner shall deny the permit if, during the course of such monitoring, any of such existing active wells shows a reduction in well efficiency of five percent or more or is unable to supply the dwelling it serves with a continuous water supply for a minimum of 20 minutes at the maximum pumping rate. (Left in Committee)

15  **Notables**

- ▶ 2018 Legislative Updates Continued...
 - HJ 94 Study; Office of Drinking Water; Commonwealth's Drinking Water Infrastructure and Oversight of the Drinking Water Program; Report. Requests the Office of Drinking Water of the Department of Health (the Office) to study the Commonwealth's drinking water infrastructure and oversight of the drinking water program. In conducting its study, the Office shall (i) identify problems or issues that may result in contamination of drinking water with lead or copper or other substances or organisms or increase the likelihood of contamination of drinking water with lead or copper or other substances or organisms and (ii) develop recommendations for addressing such problems or issues. (Left in Committee)

16  **Notables**

- ▶ 2018 Legislative Updates Continued...
 - SB 766 Citizen Water Quality Monitoring; use as Evidence in Enforcement Actions: Authorizes the Department of Environmental Quality (the Department) to use certain results of citizen water quality testing as evidence in enforcement actions. Such evidence is currently prohibited. The bill also directs the Department to consider in some cases data collected by a citizen group, regardless of whether the data conforms to the requirements set out in the Code of Virginia. (Continued to 2019)

17  **Notables**

- ▶ 2018 Legislative Updates Continued...
- ▶ Executive Order 6 April 3, 2018
 - "Executive Order Supporting the Critical Role of the Virginia Department of Environmental Quality in Protection of Virginia's Air, Water, and Public Health"
 - EO's Requirements – 3 Sections
 - Review DEQ Permitting, Monitoring, and Enforcement Activities Across Air, Water, and Solid Waste Programs
 - Ensure permitting programs' effectiveness in protecting environment and public health
 - Assess enforceability of permitting activity
 - Review DEQ penalty matrix for effectiveness, consistency
 - Develop protocol for DEQ engagement with Attorney General's Office on enforcement
 - Identify gaps in monitoring impairments to public health and environment
 - Identify causes of delays, backlogs in permitting program

18  **Notables**

- ▶ 2018 Legislative Updates Continued...
- ▶ Executive Order 6 April 3, 2018 Continued...
 - Ensure permitting programs' effectiveness in protecting environment and public health
 - Assess gaps in DEQ resources and authorities
 - Report findings to Secretary of Natural Resources within 180 days
 - Evaluate Every Proposed Federal Regulatory Action or Guidance Modification Released After January 20, 2017 Regarding Air, Water, and Solid Waste to Determine Impact on Public Health, Drinking Water Supplies, and Land and Water Protections
 - Determine whether federal regulation changes will lead to reduced effectiveness or efficiency in state programs

- Ensure that any federal regulation rollbacks does not alter DEQ's existing protection authorities
- Assess gaps in DEQ resources or authorities to address challenges
- Report findings to Secretary of Natural Resources within 90 days

19  **Notables**

- ▶ 2018 Legislative Updates Continued...
- ▶ Executive Order 6 April 3, 2018 Continued...
 - Work With Stakeholders to Improve Communications With the Public and Regulated Community, and Provide More Opportunities for Proactive Education, Especially Among Lower-Income Populations
 - Review processes to identify ways to enhance public participation and community engagement – especially regarding transparency
 - Engage the regulated community, local governments, and others on new protocols
 - Establish an ombudsman for public questions and concerns
 - Assess gaps in DEQ resources and authorities to address challenges
 - Report to the Secretary of Natural Resources within 180 days

20  **Looking Ahead**

- ▶ Water Quality
- ▶ FYE 19 Budget
- ▶ Water Withdrawal Permit
- ▶ Lee Highway Corridor Sewer Project
- ▶ Meter Replacement
- ▶ Comp. & Benefit Study
- ▶ Rate & Financial Plan



Water Line Extension Projects

- Rattle Creek – Staff has received Construction Permit for the project and will be advertising the project soon. Staff is working with Mount Rogers Planning District for potential DHCD funds.
- Chip Ridge – Staff held a pre-construction conference and is reviewing shop drawings. Notice to proceed is dated April 23. Contractor plans to begin work in early May.
- Rich Valley Road –Staff plans to submit plans to VDH for review in early May. Staff would like to request permission from the Board to advertise the Rich Valley Project pending VDH approval.



Water Line Extension Projects

- Sugar Cove Road – Staff is working on easements for the project. Proposed pump station site was surveyed and Mr. Dene is performing title work for property purchase.
- Hidden Valley Phase 2 – Well site agreement will be provided for Boards review. Mr. Dene has also reviewed the purchase option Agreement. A draft has been sent to property owner for review.
- Staff also attended meeting with DHCD for project update.
- Next steps after agreement would be signed would be to procure a driller.



Potential New Water Line Extensions

Mendota and Mary's Chapel Road

- Funding applications were submitted. Typically in late summer and fall we are notified of potential funding offers.
- Staff has started laying out water line on both projects.

Private Development Projects

