

Washington County Service Authority Board of Commissioners
April 25, 2016 Regular Meeting Minutes

The Regular Meeting of the Washington County Service Authority Board of Commissioners was called to order by the Chairman at 5:58 pm.

ROLL CALL

Commissioners Present:

Mr. Kenneth Taylor, Chairman
Mr. Mark Nelson, Vice Chairman
Mr. Wayne Campbell
Mr. Devere Hutchinson
Mr. Jim McCall
Mr. Dwain Miller

Commissioners Absent:

Mr. Mike White

WCSA Staff Present:

Robbie Cornett; Secretary, General Manager
Kimberly Boyd; Treasurer, Controller
Carol Ann Shaffer; Assistant Secretary, Administrative Assistant
Dave Cheek; Operations Manager
Mark Osborne; Technical Manager
Ryan Kiser, Staff Engineer

Consultants Present:

Dennis Amos; Anderson and Associates, Inc.
Bobby Lane, PE; The Lane Group, Inc.

General Counsel Present:

Sheri Hiter; Elliott, Lawson & Minor

3. Approval of the Agenda

Mr. Nelson motioned to approve the Agenda as presented Mr. Campbell seconded and the Board approved voting 6-0-0-1.

4. Public Query and Comment

Mr. Howell Chaney of 21065 Nassau Drive in Abingdon requested his water meter be relocated from Buckhaven to his property. He has recently been

served a summons for trespassing on Buckhaven. Mr. Chaney said if there is a line break, he would have to travel from Nassau Drive and hopefully be able to turn off the meter before being asked to leave Buckhaven. Mr. Chaney said a lot of water would be lost before he could cut it off in case of an emergency.

Mr. Chaney asked if the meters could be moved to the customer's property on Nassau so customers could access their meters.

Mr. Chaney provided a copy of the summons to Mr. Cornett. Mr. Chaney said he spoke to Mr. White about the issue.

Mr. Cornett was not aware of the issue but will investigate it.

To answer Mr. Taylor's question, the summons is from the attorney's representing the Buckhaven land owners, state Mr. Cornett.

Basically, it is a situation where Buckhaven will not let you (Mr. Chaney) on the property period, said Mr. Nelson.

Yes, this has been an ongoing issue said Mr. Chaney, and he did not want to get into an argument with Buckhaven about his water meter but also didn't want to drive 6 miles to turn off his water.

Mr. Cornett will look into the issue and get back with Mr. Chaney.

5. Approval of the Consent Agenda

A. Approval of Minutes:

- March 28, 2016 Regular Meeting Minutes
- March 28, 2016 Recessed Meeting Minutes (held April 5, 2016)

B. Routine Reports: March 2016

- Water Production
- Water Distribution

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- Meter Department
 - Wastewater Operations
 - Customer Service
 - Maintenance
 - Engineering
 - Accounting
 - Health & Safety Report
- C. Financial Reports: March 2016
- Balance Sheet
 - Income Statement
 - Check Register / General Manager Financial Report
- D. Consideration of Amendment No. 1 to the WCSA Maxim General Engineering Services Agreement - *Ryan Kiser*
- E. Consideration of Amendment No. 1 to the WCSA Anderson & Associates General Engineering Services Agreement - *Ryan Kiser*
- F. Consideration of Amendment No. 1 to the WCSA The Lane Group General Surveying Services Agreement - *Ryan Kiser*
- G. Consideration of Amendment No. 1 to the WCSA The Lane Group General Engineering Services Agreement - *Ryan Kiser*
- H. Consideration of Amendment No. 1 to the WCSA Terra Tech General Surveying Services Agreement - *Ryan Kiser*
- I. Consideration of Amendment No. 1 to the Galvanized Line Phase 3 Engineering Agreement - *Robbie Cornett*
- J. Consideration of Childress Hollow Water system Extension Change Order No. 1 - *Ryan Kiser*
- K. Consideration of Chemical Bids - *Kim Boyd*
- Mr. Miller motioned to approve the Consent Agenda with a second by Mr. Hutchinson. The motion passed with a 6-0-0-1 Board vote.

On behalf of Maxum Engineering, Mr. Cornett relayed that Mr. Skeens absence tonight was not a reflection of his appreciation for extending the general services contract. Mr. Skeen is finishing a class at UVA Wise he is teaching and plans to attend soon.

6. Operations Report and Update - *Dave Cheek*

Mr. Cheek said the numbers were fine, safety was good and things were going well. Mr. Cheek offered to answer questions.

Mr. Nelson asked if there was anything the Board should be worried about.

No, said Mr. Cheek.

7. General Manager's Report & Update - *Robbie Cornett*

Mr. Cornett said all the Administrative Departments continue to track under budget. Water revenue is about \$285,000 ahead of Budget.

WCSA had 2 wastewater connections in March and 15 water connection; none related to new projects. Mr. Nelson asked if that was the most new connections in the last 8 or 9 months.

Mr. Cornett said it was the most this year.

There were no injuries or accidents in March

Staff continues to refine the budget. Mr. Cornett offered to conduct a budget workshop at the Board's discretion.

Mr. Cornett said based on comparing the budget numbers to date to the rate model, other than the rate adjustments forecasted, no additional rate adjustments would be needed.

Mr. Taylor asked how much time for the budget workshop.

Mrs. Boyd thought between 1.5 hours and 2 hours.

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Mr. Nelson asked if the Board could be provided with a new budget draft to review about 2 weeks before the budget workshop.

Mrs. Boyd said she could provide April numbers after May 12th and May figures could be provided to the Board around June 12th.

Mr. Nelson thought it would be fine to review updated budget numbers with including projected capital items included for the Board to review.

Mrs. Boyd said she could provide May budget to the Board in mid-June.

Mr. Nelson said he was interested in the changes and budget items related to employees.

Mr. Miller suggested the Board receive updated budget information at the May Board Meeting and meet for a workshop in June.

Mrs. Boyd said she could provide the April information to the Board before the May meeting so the Board would have an extra week to review.

Mr. McCall asked about a line item that stood out to him in several departments, Field Hawk License for I Pad

Mrs. Boyd explained it was the licensing to have remote work orders available on the company trucks. Mrs. Boyd said that system would be field tested before it was purchased.

Regarding the Field Hawk application, Mr. Cornett said the system was not available until June 1st and the system would be tested before purchasing it was purchased.

The Android version is available now but Mrs. Boyd explained they wanted to wait until the Apple version was available as she felt the Apple version would be more stable.

Mr. Nelson said overall the Board had a good base for the budget; and didn't have that many questions about the

budget. Mr. Nelson asked the Mrs. Boyd provide a budget update on the items the Board inquired about for their review.

Mr. Cornett said there were about 12 budget items that were being looked at.

If we are looking at the new system to be able to communicate, Mr. Nelson thought the Board was ahead of the game not having a better idea what they wanted to do. Mr. Nelson said he would like to have a better idea if the amount for the communication system was \$500,000, \$200,000 or \$50,000.

Mr. Cornett said the best information he had now was around the \$200,000 range with a lot of work to be done still to know if that is the right choice for WCSA.

Mr. Nelson asked Mr. Cornett if there was anything the Board needed to be concerned about that he knew of.

No sir, not a thing, stated Mr. Cornett.

8. Water and Waste Construction Projects Update – Ryan Kiser

Mr. Kiser updated the Board on the following projects.

Inside Engineering Projects

- Childress Hollow Road Water Line Project:

The Project is complete with substantial completion date of April 18, 2016. A change order is proposed for Board approval of a 4 inch valve and approval of weather days. At the May Board Meeting a cleanup change order will be presented to true up contract time.

- Haskell Station Road:

Staff continues to work to secure easements. Staff also began working on bid documents.

- Ritchie Road Water Line Project:

Staff met with property owner and continues efforts to revise the easement.

The land owner does not want the document worded as an easement but

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rather a contract or agreement and is asking to have some important information removed. WCSA staff will work with legal counsel to reformulate the easement if possible.

Private Development Projects

- Glade Spring Industrial Park – 750' sewer relocation:

The RPR continues to monitor work on this project.

- Love's Travel Stop:

WCSA RPR continues to monitor the work. Pump station start up is expected to begin soon. .

- Exit 19 Development:

Construction continues onsite and RPR continues to monitor work.

- Pippin Sewer Phase 5:

Project has been approved for construction.

- Fairfield Inn Project:

Work on the Project is well underway and RPR continues to monitor work.

- Legacy Village:

No further development.

- Farm Credit:

Staff will hold a pre-construction conference before work begins on this Project.

- Meadows Project (Abingdon Exit 17):

Staff has received revised plans and is in the process of reviewing those plans.

- Dollar General Store Glade Spring:

The RPR is monitoring work on this project.

- Dollar General Store Lee Highway/Halls Bottom Road:

Staff has worked with maintenance on location of existing lines and any impacts to those lines and corresponded with the engineer.

- Dollar General Store Benhams:

Project has been approved for construction.

- Dollar General Store Watauga Road:

Project is being reviewed and staff is waiting on revised plans.

- Chris Renee Cosmetics Oak Park:

This project is underway The RPR is waiting on utility work to begin.

- Highlands Community Services Baugh Lane:

Staff is working on providing fire flow information to the Engineer and working with the Engineer on plans.

- Walker Mountain Road

Today was the last day for potential customers to sign user agreements. With another potential customer declining service it does not appear participation levels are where they need to be but staff will provide a Board update in May.

Mr. Miller asked if WCSA evaluated servicing Walker Mountain Road by way of Gate City Highway.

We have not, not yet said Mr. Kiser.

Mr. Miller said there was a possibly that two would sign user agreements (by way of Gate City Highway), it was the same land owner.

Mr. Miller then asked about the projects listed in Mr. Kiser's report under "Active Projects" saying most of these projects predate you, correct?

Yes, said Mr. Kiser.

Mr. Miller asked what needed to be done to put all these projects to rest.

Mr. Kiser said he has not had time to tackle them but would work on that. Mr. Kiser said he did request some as built drawings for one project some time ago but has not received them.

Mr. Kiser said he would work on resolving those projects. He said those projects have been in the Active Projects list since he started.

Mr. Cornett said sometimes closing projects out and getting final documents such as record drawings, easement plats or easements are a bit of a challenge.

9. Engineer's Report and Update

Bobby Lane of The Lane Group (TLG)

• Galvanized Line Phase 2

The contractor is in the process of finishing Divisions 2 and 3, the only thing remaining is paperwork. Mr. Lane expects to present clean up change orders on Divisions 2 and 3 at the May meeting. Constriction on Division 5 is almost ready to begin. Little B is getting close to having bonds and insurance documents complete are ready for legal counsel review and approval.

Mr. Lane thanked the Board for approving the Galvanized Line Phase 3 Amendment in the Consent Agenda.

• Hidden Valley Water System

Last month TLG submitted an amended budget to VDH. Based on review of VDH, the amended budget has changed.

Mr. Lane told the Board at the March meeting the chlorine analyzer would be with VDH funds. The amended budget shows \$20,016 of chlorine analyzer is being paid with WCSA funds. The difference is there were WCSA funds assigned for the Russel County water line. It is basically the same money spent but Mr. Lane did not want the Board to think the chlorine analyzer would be paid with VDH funds when it will be paid with WCSA funds.

Mr. Lane said the "inspection" line item has been adjusted in accordance with an amendment the Board will vote on tonight. With the approval of the amendment and the amended budget, there will be \$54,877 in WCSA monies set aside for contingencies that will not be spent.

Mr. Lane then recommended the Board approve \$20,016 for the chlorine analyzer. The Chlorine analyzer will help with operations and maintenance as the chlorine residual can be monitored on-site and sent to the water plant eliminating the

need for employees to travel to the site for chlorine testing.

Mr. Nelson asked why WCSA was picking up the cost for the chlorine analyzer. As we thought VDH would pay it; what created the change?

Mr. Lane said he anticipated a significant portion of the Russel County expenditure would have to be funded by WCSA. When VDH reviewed the amended budget, VDH agreed to pay for the Russel County water line. Mr. Lane said he simply moved WCSA money set aside for Russel County to pay for the chlorine analyzer which was a savings to WCSA.

Mr. McCall motioned to approve the Hidden Valley Water Project Amended Budget. Mr. Nelson seconded and the Board approved voting 6-0-0-1.

• Mill Creek Water System Improvements

TLG is still working to resolve property issue. Mr. Lane hopes the property issue to be resolved by the May meeting.

Mr. Nelson asked how long the property issue has held up the Mill Creek Project.

At least 6 months said Mr. Lane.

Mr. Nelson asked Mr. Lane when he expected the project to be complete.

Mr. Lane said he hoped construction to be complete late next year.

Mr. Nelson asked about TLG's memorandum regarding the 12 MGD specifically saying "these Projects include the work to upgrade the existing Middle Fork Water Treatment Plant from a treatment capacity of 6.6 MGD to 12 MGD." Mr. Nelson asked if the plant was originally built to treat 12 MGD or are we upgrading it to get to that capacity we want.

Mr. Lane said that upgrade is complete. The plant expansion to 12MGD was completed some time ago. The issue we

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continue to work on and resolve is the South Fork Intake.

Mr. Nelson wanted to be sure he was not misinterpreting and nothing extra was being done to get the plant to 12MGD but that the plant was originally planned for 12MGD.

Mr. Lane explained the project was an expansion of the Water Treatment Plant from 4.6 MGD to 12MGD and was to be done in two phases. Those phases have been completed and the contractor has been paid, substantial completion has been issued and the projects have been closed out by the funding agencies.

Thank you said Mr. Nelson.

Mr. Cornett then discussed the property accusation at Mill Creek. He explained that the Town of Chilhowie's Public Works Director, Jay King, made contact with the land owners in March 2015 and began working with the land owner's attorney to secure the property. There were never issues between the Town of Chilhowie, WCSA and the land owner; it has been the coordinated efforts with the land owner's attorney that has taken quite some time. This has been in the works for some time but has taken a lot longer than it should have, stated Mr. Cornett.

Mr. Taylor asked if it was the Cole property.

Yes sir, said Mr. Cornett.

Mr. Hutchinson asked if WCSA was still on target with the TMDL for a Western Washington County Sewer Plant.

Mr. Lane said DEQ closed out the TMDL and they are working on the preparation of the Discharge Permit for WCSA's review and approval.

Mr. Lane said there will be a Discharge Permit Public Notice. Depending on comments received on Discharge Permit after the Public Notice, there may or may not be a Public Hearing. Mr. Lane said

that was now in the regulatory agencies hands now.

Mr. Taylor thanked The Lane Group for a job well done at Hidden Valley. There are some very happy people to have good water.

It has certainly been our pleasure to work on that project; we appreciate the opportunity, said Mr. Lane.

Dennis Amos of Anderson and Associates (A&A):

• Exit 13 Sewer Project Phase 2A

This project was advertised for Bids in the April 10th edition of the Bristol Herald Courier. There were 9 contractors in attendance today at the Pre-Construction Conference. The Bid Opening is scheduled for May 12, 2016 at 2:00 pm.

• Exit 13 Sewer Project Phase 3

Mr. Kiser has the easement exhibits for Phase 3. WCSA employees are working to secure pump station options.

Mr. Amos updated DEQ on the progress with Exit 12 Sewer Project. DEQ was pleased Phase 2A had been advertised. DEQ was also pleased with the progress of Phase 3 but stressed the importance of getting Phase 3 to bid as soon as possible.

Mr. Miller asked how many easements would be needed.

Mr. Kiser said 40 plus.

Mr. Amos said they lacked one easement from Dr. Gent and A&A was working to obtain that easement.

Mr. Taylor asked when Mr. Amos expected construction to begin Mid-August said Mr. Amos.

Mr. Taylor asked what the time frame was.

It is a 6 month project, stated Mr. Amos. So you will be working through the winter, stated Mr. Taylor.

Unfortunately, stated Mr. Amos.

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Winter jobs re not good jobs, you hear a lot of complaints and there many issues, said Mr. Taylor.

10. Consideration of Fuel Bids – Kim Boyd

Bids for fuel; gas and diesel; were advertised in the Bristol Herald Courier on March 27, 2016 and six fuel vendors were directly solicited. Bids are to be received by and opened on April 13, 2016. Addington Oil was the only bidder. Diesel was less than last year's price but unleaded went up a bit. .

Mr. Nelson motioned to approve Addington Oil's fuel bid, Mr. McCall seconded and the Board approved voting 6-0-0-1.

11. Consideration of Propane Bids – Kim Boyd

Mrs. Boyd said last year was the year to procure propane bids. WCSA received 3 bids last year and only 2 bidders this year. The low bidder tis year was Marsh Propane.

Mr. Nelson motioned to approve the low bid from Marsh Propane, Mr. Campbell seconded and the Board voted 6-0-0-1 approving the motion.

12. Consideration of Hidden Valley Water System Extension Change Order No. 3 – Bobby Lane

This is the final Clean-Up Change Order for the Hidden Valley Project, said Mr. Lane.

This change order provides for the addition of Contract Time and also reconciles quantities bid vs. quantities installed as detailed on the third sheet of the Change Order.

The two previous change orders 1 and 2 decrease the contract amount by \$34,348.

Change Order 3 decreases the contract an additional \$2,311; for a total contract decrease of \$36,660.

The previous change order increased the time to Substantial Completion to 31 days. This change order extends the time to Substantial Completion an additional 10 days for a total of 41 days.

The Substantial Completion date with the addition of all Change Orders was December 11, 2015. The actual date when the contractor achieved Substantial Completion was December 31, 2015. That being said, the Contractor will be liable for 20 days of Liquidated Damages at \$580 per day for a total of \$11,600 for not meeting the substantial completion date. Final Completion on the project was achieved on April 11, 2016.

For Change Order 3, an additional 122 days were added from the Substantial Completion date to the date Final Completion was achieved. These added days were as a result of weather; in light of restoration work to accomplish; days for the Contractor to complete punch list items that were predominantly driven by weather and days added for the coordination with hooking up Low to Moderate Income (LMI) customers. Property owners were required to be at home before their private water sources could be disconnected and then plumbed to the new WCSA water source. This required more time than was planned.

Boring Contractors is aware of this and is prepared to sign the contract.

Mr. Lane did recommend approval of Change Order 3.

Mr. Campbell motioned to approve Change Order No. 3. Mr. McCall seconded and the Board approved with a 6-0-0-1 vote.

Mr. Miller asked if Change Order 3 included liquidated damages.

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Mr. Lane explained Change Order 3 extends Substantial Completion to December 11. The actual Substantial Completion occurred on December 31.

Change Order 3 basically sets the date when liquidated damages can be accessed; on December 11, 2015. The contractor went 20 days over on Substantial Completion.

Mr. Cornett asked Mr. Lane of that was normally withheld from the contractor's final pay.

Mr. Lane said yes it is. There is currently \$71,457 that is due to the contractor. It is Mr. Lane's recommendation, if the Authority approves Change Order 3, they withhold \$11,600 from the contractors final payment.

Mr. Lane said the Change Order does not set liquidated damages. The Change Order sets the final contract amount and the date for Final Substantial Completion. Liquidated damages are calculated from the time of Final Substantial Completion.

Mr. Lane said he has discussed this with the contractor to be sure there were no additional days that TLG was not aware of. The contractor does understand. TLG has considered all the days he asked TLG to consider.

Mr. Taylor said the contractor is aware he is over time by 20 days.

Mr. Lane said the contractor was aware, he was not happy but he was aware of it.

Mr. Lane said this was not a reflection of the quality of work done. The quality of work was good, they just did not hurry, stated Mr. Lane. He continued saying, Mr. Kiser met with the contractor, TLG met with the contractor and they just could not get the contractor to hurry.

The Board then voted 6-0-0-1 approving the motion on hand.

13. Consideration of Amendment No. 2 to the WCSA The Lane Group Engineering Agreement for the Hidden Valley Water System Extension Project - Ryan Kiser

Construction of the Hidden Valley Water Project is complete. Amendment 1 to the original Engineering Agreement with The Lane Group provided for \$15,000 in Additional Engineering. From the below chart, proposed Amendment 2 provides for a net decrease in Additional Engineering of \$3,500 and is broken down as follows:

Proposed Amendment 2:

- Compaction and Materials Testing reduced from \$2,000 to \$0; Net Decrease of \$2,000
- Topographic and Utility Testing reduced from \$500 to \$0; Net Decrease of \$500
- Easement Assistance and Plat reduced from \$11,500 to \$10,115; Net Decrease of \$1,385
- Permitting increased from \$1,000 to \$1,385; Net Increase of \$385
 - o Totaling - \$11,500

Proposed Amendment 2 for consideration by the Board also provides for an increase of the Resident Project Representation (RPR) provided for inspection of the project. The original Contract had estimated the total hours for RPR to be 800 hours. Amendment 2 proposes to increase the hours for RPR from 800 hours to 1,160 hours. The total logged time on the Project was 1,241 hours.

The additional 360 RPR hours increases the RPR budget by \$21,600. Including the net decrease for total engineering, the net change is \$18,100.

Mr. Nelson asked if the additional hours were for additional work that needed to be done or if it was because RPR was underestimated.

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Mr. Kiser thought it was a bit of both but most was due to the increase in time for the Project. Mr. Kiser explained the increase in time required WCSA to check on the contractor, required the coordination with the contractor and property owners to connect to the system; some property owners were out of state; check on clean up safety items to be sure the road was being kept safe and coordination with the contractor about these items. Mr. Kiser felt the charges were legitimate and needed to ensure a good quality product in the ground.

Mr. McCall asked how many RPR hours were overtime hours "That's what's killing us", he stated.

Some days there were 10 and 12 hour days but there were many weeks the contractor did not work on Fridays. Mr. Kiser felt the extra hours were not from working more hours in the day but for a longer period of time.

Mr. McCall asked if Mr. Kiser or Mr. Lane could provide him with the overtime hours worked. "I would like to see them. I have done quite a bit of this so I think I am qualified to judge some", stated Mr. McCall.

As you were going through the Project, at what point in time did you know you needed additional RPR hours? Was it early on or at the end when it was calculate, asked Mr. Nelson.

Mr. Kiser did not know the date he was made aware but thought RPR hours needed to be better evaluated going forward.

Mr. Nelson said he just wanted to know if WCSA was made aware of the additional hours.

Mr. Kiser said Matthew Lane advised him they may be running short on RPR hours. This was about the time were trying to get the LMI's completed.

Mr. Taylor said the contractors did a good job. There were days work should have been going on but he did not work. There is a piece of their equipment that broke down still sitting in the church parking lot. Mr. Taylor continued saying it was a poor subcontractor. They did good work but were terribly slow, Mr. Taylor stated.

Mr. Kiser noticed the contractor was getting off schedule when the first Change Order was presented adding weather days. Mr. Kiser tried to talk with then about getting on schedule and tried to work with them.

Mr. Cornett asked if the productivity on the project were reasonable, would there have been additional RPR hours logged than what was budgeted.

Mr. Kiser thought RPR would have been more in line if they would have been on schedule.

"When they (the Contractor) took this job, they did not really understand what was there", stated Mr. Taylor. He said the contractor did not have to blast rock but it was always in the way.

Mr. Kiser said the Contractor did a good job.

Mr. Miller said we are only charged \$60 per hour for RPR services whether the RPR worked overtime or not, correct.

Mr. Kiser confirmed saying WCSA is only charged \$60 per hour straight time, nothing extra for overtime.

Going back to Mr. Cornett's question, Mr. Lane said if production would have been what was expected, RPR may have been over a little but not enough to come to the Board and ask for more money.

There were several days when TLG's RPRs had to be on the job and the contractors were not working because of equipment issues or lack of material. Mr. Lane said he was not being critical. Mr. Lane said he agreed with Mr. Kiser that

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going forward all Engineers needed to look closer at RPR estimates. Mr. Lane wanted to be sure the Board was aware the estimates of time for RPR's are made before the design is done; they are made when contracts are written. The PER has not been done, the design has not been done and Engineers must estimate the RPR time.

Mr. Nelson said his point is to involve the Board in the equation before the end so the Board knows there needs to be an amendment for significant RPR hours.

Mr. Lane said TLG tries to make WCSA's Engineer and staff aware. The question is to have one Amendment or several at the Board's discretion. Mr. Lanes aid he did not think there was any surprise the hours were over. Mr. Lane said TLG was not asking for all the RPR hours worked but what they felt was reasonable.

Mr. Nelson asked Mr. Lane how many RPR hours they did not bill WCSA for.

Mr. Lane said there were 81 hours through the end of February that were not billed and RPRs continue to work. If you add it all together it about 100 hours or so, stated Mr. Lane.

Mr. Taylor said when a contract falls in the winter months; that is just the way it is. A project in the winter months does not move a smooth as in the summer months he said

Mr. Miller thought RPR was underestimated to begin with. He thought TLG should have known the Project would go the full length of time contracted for.

Mr. Lane said the contractor's all committed to do it in 180 days.

If it had been 180 days, honestly you would have still been asking for more money. RPR was \$72,000 for 30 weeks and TLG had \$48,000 budgeted.

Mr. Lane said there were many days the contractor worked only 2 or 3 hours. The Contractor was scheduled to work four 10 hour days and they did not do that. The RPRs were there when the contractor was working and came home when they stopped working; which is reflected in our time.

Mr. McCall said King Contractors just participated in a sewer project in Wise County with three other contractors; there was only one RPR that worked 8 hours a day. No one can watch everything that is going on; two people can't watch everything that is going on. There are times when you balance that. Mr. McCall continued saying most Engineering Firms are going to only 8 hours unless they break a main line. A lot of that is trust in the contractor, and you are getting some good contractors, stated Mr. McCall. "They just say, period, 8 hours unless you break a main or something real serious. It can be worked because not testing needs to be done after 5:00 pm, none", stated Mr. McCall. No testing unless you are willing to pay overtime. Mr. McCall said he had been asked to test after 5:00 pm and he just refused. It is all in trust, trust, stated Mr. McCall.

Mr. Kiser said it works both ways.

Mr. McCall said if the contractor is not being honest, you go the Project Engineer and tell them you have a problem they need to correct.

Mr. Lane said if a contractor is putting line in the ground and covering something up, we want or RPRs to see that work. If a contractor is at a critical place on a VDOT highway, for WCSA's and TLG's protection, he feels the RPR needs to be there to make sure the contractor maintains traffic control. Mr. Lane referred to Mr. McCall's statement about trust saying it is trust between the

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owner and engineer and to some extent between the engineer and contractor to be sure the owner was getting a good product.

Mr. Lane said TLG loves all contractors but our allegiance is to this Authority and that is who we are looking out for.

Mr. Nelson mad a motion to move forward with the Amendment as presented. Mr. Hutchinson seconded and the Board unanimously approved voting 6-0-0-1.

14. Closed Meeting

At 7:11 pm, Mr. Nelson moved that the Board adjourn to Closed Meeting in accordance with the Virginia Freedom of Information Act;

1. Code of Virginia Section 2.2-3711 Paragraph (A) (3): Acquisition and Disposition of Public Funds:
 - a. Discussion and consideration of the acquisition of real property for a public purpose, where discussion of such acquisition of property in open meeting would adversely affect the bargaining position of WCSA.
 - i. Easement acquisition related to the Exit 13 and Glade Spring Projects
2. Code of Virginia Section 2.2-3711 Paragraph (A) (6): Investment of Public Funds:
 - a. Discussion and consideration of public funds where bargaining is involved and if made known publically at this time, would adversely impact the bargaining position of WCSA.
 - i. Easement acquisition related to the Exit 13 and Glade Spring Projects
 - ii. Proposed water Contract
3. Code of Virginia Section 2.2-3711 Paragraph (A) (7): Legal Advice:

- a. Consultation with legal counsel and briefings by staff pertaining to possible litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigation posture of WCSA.

In addition to the Board the presence of Sheri Hiter, WCSA Legal Counsel and Robbie Cornett, WCSA General Manager was requested.

Mr. Miller seconded the Motion of Closed Meeting and the Board approved voting 6-0-0-1.

Return to Public Session: 8:46 pm

Mr. Nelson motioned to return to Public Session, Mr. Campbell seconded and the Board approved voting 6-0-0-1.

Mr. Nelson read the following Certification of Closed Meeting;

Whereas, 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. 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. Aye by Mr. Miller, Mr. Hutchinson, Mr. Campbell, Mr. Taylor, Mr. Nelson and Mr. McCall confirming

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no outside discussion took place other than Closed Meeting topics.

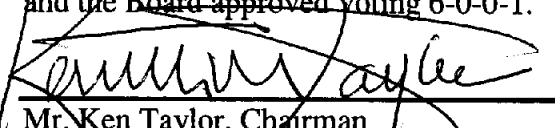
15. Late Items

Mr. Nelson motioned to move forward with the Intermont Utility District contract for sale of water after review and consideration of any legal matters that are to be reviewed by WCSA's legal counsel. Mr. McCall seconded. The motion carried with a 6-0-0-1 Board vote.

Mr. Hutchinson asked that ideas discussed during dispute hearings regarding high usage be added to the May Agenda for Board discussion. Mr. Cornett will include that on the May Agenda.

16. Adjourn

At 8:49 pm, Mr. Nelson made a motion to adjourn. Mr. Hutchinson seconded and the Board approved voting 6-0-0-1.



Mr. Ken Taylor, Chairman



Carol Ann Shaffer, Assistant Secretary