

**Washington County Service Authority Board of Commissioners**  
**May 20, 2013 Regular Meeting Minutes**

The regular meeting of the Washington County Service Authority Board of Commissioners was called to order by the Chairman at 7:01 pm.

**ROLL CALL**

Commissioners Present:

Mr. Joe Chase, Chairman  
Mr. D.L. Stout, Vice Chairman  
Mr. Prince Coleman  
Mr. Devere Hutchinson  
Mr. Dwain Miller  
Mr. Frank Stephon, IV  
Mr. Kenneth Taylor

WCSA Staff Present:

Robbie Cornett, General Manager  
Kimberly Harold, Controller  
April Helbert, Engineering Manager  
Mark Osborne, Technical Manager  
Carol Ann Shaffer, Administrative Assistant

Consultants Present:

Kevin Heath, PE; Adams-Heath Engineering, Inc.  
Dennis Amos, Anderson and Associates  
Bobby Lane, PE; The Lane Group, Inc.  
Matthew Lane, PE; The Lane Group, Inc.  
Bill Skeen, Maxim Engineering, Inc.

Also Present:

Mr. Mark Lawson, General Counsel

**3. Approval of the Agenda**

Mr. Cornett had no additions or corrections to the Agenda. Mr. Stout motioned the approval of the Agenda. Mr. Taylor seconded the motion and the Board approval voting 7-0-0-0.

**4. Public Query & Comment**

There was no public query or comment.

**5. Approval of the Consent Agenda**

- Minutes for: April 22, 2013 Regular Meeting and April 22, 2013 Recessed Meeting (held May 6, 2013).
- Routine Reports for April 2013.
- Financial Reports for April 2013.
- Check Register and General Manager Financial Report for April 2013.

Mr. Stephon made the motion to approve the Consent Agenda. Mr. Coleman seconded the motion and the Board approved voting 7-0-0-0.

**6. Engineer's Report and Update**

*Mr. Bobby Lane of The Lane Group, Inc. (TLG):*

- **Galvanized Waterline Replacement Project – Phase 1 & 2**

Mr. Lane updated the Board on Phase 2 of the Galvanized Waterline Project saying the VDH did approve plans and specification for the Project. Plans have been submitted to Rural Development for their bidability review. TLG continues to work with WCSA staff on obtaining the necessary easements.

- **Raw Water Intake and Raw Water Line Replacement**

The Contractor is nearing substantial completion (expected before the end of May) of the Plant. There are several things the Contractor cannot finish until the South Fork Intake is completed, added Mr. Lane.

Through hard work and cooperation with attorneys and Rural Development, we are ready for the Pre-Construction Conference which will be held Wednesday, May 24th. Mr. Lane hopes the Notice to Proceed will be signed at the Pre-Construction Conference with work beginning before the end of May.

- **Emory Meadowview Sewer Study**

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The final sewer model has been submitted and TLG is working on the final report for submission very soon, reported Mr. Lane

- **Exit 13 Wastewater Project Phase 1 & Exit 13 Force Main Project**

This Project is now complete, stated Mr. Lane. Later in tonight's meeting, TLG will be presenting Change Orders for this Project.

- **Hidden Valley Water System Preliminary Engineering Report**

TLG has received comments from the VDH and hopes to have those comments answered by the end of the week. Mr. Lane said they are waiting for responses from DHCD and VDH regarding the funding applications that were submitted to them.

- **Mendota Water System Source Improvements**

All the main lines have been installed, said Mr. Lane. The Contractor is working on tie ends and river crossings. Mr. Lane expects the Project to be complete by mid-June.

- **Mid-Mountain Water System Improvements**

Mr. Lane received comments from VDH and WCSA. Those concerns have been addressed and revisions have been submitted to both agencies. Mr. Lane expects to receive approval for the Mid-Mountain Project in the near future.

- **Nordyke Road Water System Project**

Easement acquisitions are underway. TLG is working with VDOT to find ways to avoid troublesome easements and are still lacking a couple of easements. Mr. Lane expects to be in a position to advertise this Project in the very near future.

- **Oak Park Sewer Project**

Boring Contractors has completed the gravity line from Dixie Pottery north and

have finished work along Spring Creek. Contractors are now boring at Exit 13 and tying the project together.

Due to the wet weather, Contractors have had limited access to the pump station.

- **Western Washington County Sewer Study**

The first Technical Advisory Committee meeting is scheduled for May 23<sup>rd</sup> at 2:00 at the Higher Ed Center. TLG, along with the Contractor, will be presenting the Project, asking for public comment, Mr. Lane stated.

***Mr. Bill Skeen of Maxim Engineering***

- **Tumbling Creek South & North Fork River Road Water Projects**

There are only three easements are lacking. After those easements are acquired, the Project will be ready for Bid, Mr. Skeen reported

- **Larwood Acres / Exit 1 Wastewater Feasibility Study**

Mr. Skeen has met with representatives from BVU and the City of Bristol, Tennessee. Mr. Skeen said those meeting were very productive and information from those meetings will be discussed with WCSA Staff on May 22<sup>nd</sup>.

***Mr. Kevin Heath of Adams-Heath Engineering (AHE):***

- **Rich Valley Road/Whites Mill Road/ Hillandale Road/ Red Fox Land Water Extension Project**

The public notice period for the environmental clearance is completed. The VDH issued a notice finding no significant impact and accepted the environmental report for the Project. There is one outstanding easement before we can proceed with advertisement.

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Contracts have been awarded for Hillandale /Red Fox. A&A received Bonds and Insurance certificates with revisions from the Contractors. The Pre-Construction Conference is coming up soon. After the Conference, Contractors will begin construction, reported Mr. Heath

- **Route 58 Water Supply Improvements Project**

AHE has been addressing funding application comments from Rural Development.

- **Green Springs Road Water Line Replacement Project**

AHE issued the Notice to Proceed and construction has begun with two crews currently working on the Project, stated Mr. Heath.

- **Abingdon Water Storage Improvements Study**

Mr. Heath reported the Draft PER has been submitted to WCSA for review.

- **Smyth Chapel Area Water Improvements Study**

AHE continues to work on the draft PER for WCSA review.

- **Eastern Washington County Water Study**

At the request of WCSA, this project has also been placed on hold temporarily.

- **Monte Vista/Crescent Drive Water Line Improvements**

This project has been temporarily placed on hold at WCSA's request.

*Mr. Dennis Amos of Anderson and Associates (A&A):*

- **Exit 13 Sewer Project Phases 2A**

The environmental documents have been sent to the appropriate agencies. According to Mr. Amos, A&A is working with WCSA Staff to compile the data needed to revise the PER to submit to Rural Development by mid-July. User Agreements are due June

14<sup>th</sup>. Once those Agreements have been received and reviewed, we will re-evaluate the scope of the project

### **7. Water & Wastewater Construction Projects Report and Update April Helbert**

Plans, specifications and contract documents have been resubmitted to TDOT. Our hope is to advertise for Bids soon after TDOT approves the documents said Mrs. Helbert.

Mount Rogers Planning Grant applications are due earlier this year. For that reason, Mrs. Helbert asked the Board's permission to submit funding applications to Mount Rogers Planning District Commission for the Smyth Chapel Study, Haskell Station Project and the Hidden Valley Project.

Mr. Stephon motioned to approve funding application to MRPD for the Smyth Chapel Study, Haskell Station Project and Hidden Valley Project. Mr. Hutchinson seconded and the Board approved voting 7-0-0-0.

Mrs. Helbert then mentioned that a large change order for the DWP would be presented for Board consideration and at the July meeting. This change order will include items such as video surveillance, a fork lift, signs, additional concrete paving and other miscellaneous items.

### **8. General Manager's Report & Update Robbie Cornett**

Mr. Cornett referred to his General Manager's Report and Update at the Board's stations. He reported on the following noteworthy WCSA performance & accomplishments from all departments during the month of April:

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**Water Production**

- Produced more than 200 million gallons of drinking water from WCSA

**Distribution**

- Mr. Cornett said this report was incomplete due to the timing of the Board meeting and receipt of outside water purchase billing.

**Meter Department**

- 154 customers were telephoned following unusually high usage.
- 668 customers were notified that their water was to be turned off for nonpayment.
- 138 meters were lifted for non-payment.
- 99.24% of all meters were read by radio.

**Customer Service**

- \$16,418.76 was adapted for 91 customer water leaks.
- More than \$2,000 was written off as bad debt three years old.
- 11 water taps applied for.
- 106 wastewater tap applied for.
- 199 reconnections / transfers of service.
- 4,515 accounts with late charges added.
- 1,193 disconnect notices processed.
- 138 disconnects for non-payment.
- 20,915 active water accounts
- 2,083 active sewer accounts

**Maintenance**

- 27 leaks.
- 4 major breaks.
- 9 water tap.
- 2 wastewater tap.
- 49 after hour maintenance call-outs.

**Wastewater**

- Treated 11.2 million gallons of wastewater at Hall Creek
- Treated 10.5 million gallons of wastewater at Damascus

- At your stations are copies of a letter from WCSA to DEQ regarding our influent flow violation and required Plan of Action and DEQ's response.

**Administrative Items**

- Reservation Spring in Taylor Valley was taken offline May 7 to May 9 due to turbidity.
- At your stations is a copy of a letter from a Westwood resident complimenting April Helbert for her efforts to mitigate sewer service lateral problems following construction.
- Congratulations to our Water Production Group for receiving the 2012 Excellence in Waterworks Operations/Performance Award. This is at least the third year in a row we have achieved this award and while renovating the facility.
- The Mill Creek Steering Committee has had productive meetings on February 27, March 27 and April 24, 2013 at Chilhowie Town Hall.
- The current status of User Agreements for the Exit 13 Phase 3 service area is as follows:

110	Potential	100.00%
44	Agree	40.00%
47	Decline	42.73%
91	Response	82.73%
19	No Response	17.27%

Mr. Chase congratulated Mrs. Helbert for solving the issue in Westwood. He also congratulated the Water Production Group for their award and thanked them.

**9. Consideration of the Exit 13 Phase 1 Sewer Project Contract 2A – Change Order No. 1– *Matthew Lane***

Mr. Lane said this change order was a result of forward thinking by WCSA Staff, April Helbert, Robbie Cornett and George Thomas. That area was already torn up to replace sewer line. The Phase

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2 Galvanized Line Project is to replace galvanized line in that same area. This change order is to replace the galvanized line in that area while replacing sewer line. Staff was able to secure monies for the line replacement from monies remaining from Galvanized Line Phase 1. This Change Order adds \$52,066.40 to Ramey's contract.

Mr. Hutchinson asked if there would be a decrease in the Phase 2 Project to offset this increase.

Mr. Lane answered saying, there would be a decrease in Phase 2. We will be able to do that much more work (\$52,066.40) in Phase 2.

Mr. Cornett said Mr. George Thomas was the one who suggested replacing galvanized line while the neighbor as already torn up; it was a good idea.

Mr. Chase said we appreciate Mr. Thomas' forward thinking.

The motion to approve this Change Order was made by Mr. Hutchinson. Mr. Stephon seconded and the Board unanimously approved voting 7-0-0-0.

**10. Consideration of Task Order #1-2013 to the General Engineering Agreement Between WCSA and The Lane Group (formerly Adams Heath General Engineering Agreement) – April Helbert**

This Task Order will allow The Lane Group to provide engineering services for the VPDES Permit for the Town of Damascus Wastewater Treatment Plant, explained Mrs. Helbert. The existing VPDES Permit will expire April 14, 2014. A Permit Application must be submitted to DEQ 180 days (October 16, 2013) prior to the expiration. The estimated cost is \$12,500.

Mr. Miller motioned to approve Task Order #1-2013. His motion was

seconded by Mr. Stout and approved by Board vote of 7-0-0-0.

**11. Consideration of Amendment No. 2 to the WCSA Lane Group Engineering Agreement for the Exit 13 Wastewater Project – Phase 1– April Helbert**

According to Mrs. Helbert, this Amendment provides for additional engineering and RPR costs associated with the Exit 13 Wastewater Project. This Amendment decreases the original cost of the Engineering Agreement by \$4,052.97 and increases the original RPR by \$43,000.00 or an additional 717 hours. The increase covers an additional 8 weeks of construction time and provides additional RPR hours for the additional inspector as each contractor (for a time) had multiple crews working at one time and the additional inspector was utilized more than originally planned.

Mr. Stephon motioned to approve Amendment No. 2 to the WCSA Lane Group Engineering Agreement for Exit 13 Wastewater Project, Phase 1. Mr. Hutchinson seconded.

Mr. Taylor asked if this Amendment has been reviewed by Staff.

Mr. Cornett said, yes.

Are you in concurrence with it, asked Mr. Taylor?

We are, answered Mr. Cornett.

The Board then voted 7-0-0-0 approving the motion.

**12. Consideration of Amendment No. 2 to the WCSA Lane Group Engineering Agreement for the Western Washington County Sewer Study – April Helbert**

As the Board may recall, Amendment #1 to the Western Washington County Sewer Study was approved. This

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Amendment provided for engineering services for several items related to the Western Washington County Sewer Study, including some Contingency Services that could be considered at a later date for an additional cost if they were needed. One of these items was the revision of the Total Maximum Daily Load (TMDL) allocation for a stream that a WCSA treatment facility may discharge to. DEQ said the TMDL must be revised since the latest TMDL did not include waste load allocations for the proposed new wastewater treatment plant discharge to Beaver Creek.

A contractor that specializes in the preparation of TMDLs, MapTech, was selected by the Engineer. WCSA Staff was allowed to review the proposals and provide our input prior to the Engineer making a final selection.

This Amendment provides for the development of a revised Beaver Creek TMDL as described in the Amendment. The total lump sum of this Amendment is \$85,950.00 with an additional Not-to-Exceed amount of \$5,000.00 for additional work that may be needed by MapTech.

WCSA Staff negotiated this Agreement with The Lane Group over the past month. WCSA Legal Counsel have also reviewed, commented, and approved this Agreement.

The \$5,000 is for any additional services or meetings that may arise, said Mrs. Helbert.

Mr. Miller asked if these monies would come from the General Fund.

It will come from the General Fund until we fund the Project to build a wastewater treatment plant. We will then refund the monies that came from cash reserves, said Mr. Cornett.

Mr. Miller motioned to approve this Amendment No. 2. Mr. Stout seconded and the Board approved voting 7-0-0-0.

**13. Consideration of the Exit 13 Phase 1 Sewer Force Main Project – Change Order No. 1 – Matthew Lane**

This Change Order was for work done by S.B. Construction on the Force Main Project, stated Mr. Lane. This is the main clean-up change order, though there may be a smaller change order after this one. This Change Order reduces the overall contract price by \$9,089.24. Mr. Lane recommended approving this Change Order.

Mr. Chase asked for an explanation about the easement asking if the Project was started before all the easements were approved.

This easement was with the Town of Abingdon, allowing us to cross their property. We were able to eliminate the need for all other easements by staying on public right-ways. At one point within Town limits, we had to go behind a chain link fence, making necessary an easement with the Town of Abingdon. Acquiring this easement took longer than expected.

Mr. Taylor motioned to approve this Change Order, Mr. Coleman seconded and the Board approved voting 7-0-0-0.

**14. Consideration of the Exit 13 Phase 1 Sewer Project Contract 2A – Change Order No. 2 – Matthew Lane**

Construction of Contract 2A of the Exit 13 Phase 1 Sewer Project is complete. This Change Order includes additional items associated with changes to road crossings and other items on the project. The Change Order includes a net decrease in contract price in the amount of \$1,220.95, reported Mr. Lane.

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Mr. Miller asked if the contractor did boring for this Project.

Mr. Lane said, "yes sir".

Mr. Miller than asked if the contractor did open cut in addition to boring.

The Contractor had to open cut on Old Jonesboro Road in two locations. One was for a 6 inch service line and the other for an 8 inch sewer line that crossed the road, Mr. Lane explained. Mr. Lane said we did not ask for a guaranteed bore on the Project but required a bore or open cut and would pay the Contractor the difference to open cut. In the areas the Contractor asked for additional monies; because of the depths and location and having to cut through solid rock; it would have been very difficult to open cut without closing the road for several days. Because of the conditions discussed above, the Contractor had to do a tunneling rock bore in those locations, we feel additional compensation is justified, stated Mr. Lane

Mr. Stephon motioned to approve the Exit 13 Phase 1 Sewer Project Contract 2A – Change Order No. 2. His motion was seconded by Mr. Stout and approved by the Board voting 7-0-0-0.

#### **15. Closed Meeting**

At 87:43pm, 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) (1): personnel, 1. To discuss and consider prospective candidates for employment, assignment, appointment, performance, demotion, salaries, disciplining, or resignation of employees of the public body; Code of Virginia Section 2.2-3711 Paragraph (A) (6): investment of public funds, 4. To discuss various inter-municipal and other agreements; 5. To

discuss various agreements existing and proposed related to the South Fork Intake. Code of Virginia Section 2.2-3711 Paragraph (A) (7): legal advice, 6. To discuss potential litigation, contract litigation or both related to the South Fork Intake. 7. To discuss various inter-municipal and other agreements.

In addition to the Board, the presence of Mr. Mark Lawson, WCSA Counsel, and Mr. Robbie Cornett, WCSA General Manager was requested.

Mr. Stout seconded the Motion of Closed Meeting and the Board approved with a 7-0-0-0.

#### **Return to Public Session:**

Mr. Stephon read the following **Return to Public Meeting**; Mr. Chairman, I move that the Board return to Public Session. The motion was seconded by Mr. Hutchinson and approved by Board vote of 7-0-0-0. The Board returned to Public Session at 8:42 pm. Mr. Stephon 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

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motion convening the Closed Meeting were heard, discussed or considered by the Authority. Aye by Mr. Miller, Mr. Hutchinson, Mr. Stephon, Mr. Chase, Mr. Coleman, Mr. Taylor and Mr. Stout confirming that no outside discussion took place other than Closed Meeting topics.

**16. Late Items**

1. Mr. Stephon brought one late item to the Board's attention. He said he had a complaint from a customer, living in Westwood, who was being charged for sewer service on June 5<sup>th</sup> even though they have not been able to connect to the sewer main. The customer said they called the WCSA office and were told they would be billed for sewer service on June 5<sup>th</sup> whether they were connected or not. The customer's thought were since it had been such a rainy season and there weren't enough contractors to connect everyone to the sewer main.

Mr. Stephon made a motion to expend the billing date by 60 days allowing customers time to connect to the sewer main. Mr. Miller asked for clarification about the motion.

Mr. Cornett said the User Agreement indicated the customer would be billed for service 60 days after service was available. That notification went out on March 20<sup>th</sup>, with June 5<sup>th</sup> being the end of the 60 day wait period. Mr. Stephon has heard from at least from one person that in lieu of the weather, they have not been able to get contractors to install service lines. This would basically add 60 days to the 60 day provided in the contract, explained Mr. Cornett.

Mr. Miller then seconded the motion. Mr. Chase asked how many people had already connected to the system.

Mr. Cornett said his report reflected those that have completed their

application, but they may not have connected to the system yet; so I am not sure how many have actually connected. Mr. Chase said he knew it had been a very rainy time and would have made it difficult for line installation.

In answering Mr. Taylors question about the first billing notification sent to customers, he again discussed the time line. The first notification was sent out on March 20<sup>th</sup>, informing customers service would be available around June 5<sup>th</sup>; when the pump station went on line; and billing would start on June 5<sup>th</sup>. The User Agreement read, as soon as you connect or within 60 days of the notification, you would be billed for service, so those who have already connected are paying the bill, explained Mr. Cornett. Essentially, Mr. Stephon's motion would revise the notification requiring customers to be billed as soon as they connect or within 120 days of available service added Mr. Cornett.

Mr. Taylor asked if those who were using the sewer now could ask for a credit if the billing period was extended.

Mr. Lawson said, no, because they are connected to and using the system.

Mr. Stephon said he would like to amend his motion, extending the billing period 30 days, to July 5<sup>th</sup>.

Mr. Cornett advised the Board that the motion would need to be amended to include those who signed to be non-users as well as those who signed to be users. Non-users were notified they would be billed a non-user fee after 60 days.

Mr. Chase asked if making a motion would impact future payment policy. This is the first project we have ever had this kind of trouble with said Mr. Cornett. There are about 218 user and so many are trying to get the work done to connect. Mr. Lawson said as long as you (the Board) have a rational basis and it is



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not arbitrary; then you are fine. It is not going to be precedential because the decision is based on the facts and circumstances of this particular case added Mr. Lawson.

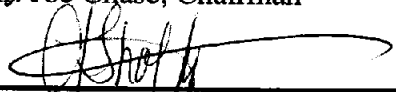
This is something weather related and something beyond their (the customers) control, stated Mr. Hutchinson.

Mr. Stephon then amended his motion and proposed extending the non-payment period for user and non-user sewer fees for an additional 30 days (until July 5, 2013) for the Exit 13 Phase 1 Sewer Project. Mr. Miller seconded and the Board approved with a unanimous vote of 7-0-0-0.

**17. Adjourn**

At 8:52 pm, Mr. Stephon motioned to Adjourn. His motion was seconded by Mr. Coleman and approved by Board vote of 7-0-0-0.

  
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Mr. Joe Chase, Chairman

  
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Carol Ann Shaffer, Assistant Secretary