The regular meeting of the Washington County Service Authority Board of Commissioners was called to order by the Chairman at 6:58 PM.

### **ROLL CALL**

<u>Commissioners Present</u>: Mr. Joe Chase, Chairman Mr. D.L. Stout, Vice Chairman Mr. Prince Coleman Mr. Devere Hutchinson Mr. Dwain Miller Mr. Kenneth Taylor Mr. Frank Stephon, IV

**Commissioners Absent:** 

### 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:

Bobby Lane, PE, The Lane Group, Inc. Kevin Heath, PE, Adams-Heath Engineering Stevie Steele, PE, Anderson & Associates

<u>Also Present</u>: Mr. Mark Lawson, General Counsel WCSA Employees

### 3. Approval of the Agenda

Mr. Cornett had no additions or corrections to the agenda.

Mr. Stout motioned to approve the Agenda. Mr. Coleman seconded the motion and the Board approved with a vote of 7-0-0-0.

### 4. Public Query & Comment

There was no Public Query & Comment.

### 5. Approval of the Consent Agenda

- Minutes: December 19 Regular Meeting, December 19 Recessed Meeting.
- Routine Reports for January 2012.
- Financial Statement for January 2012.
- Check Register and General Manager Financial Report for January 2012.

Mr. Miller made the motion to approve the Consent Agenda. The motion was seconded by Mr. Hutchinson and was approved by a 7-0-0-0 Board vote.

### 6. Engineer's Report and Update

Mr. Stephen Steele of Anderson & Associates

• Exit 13 Sewer Project Phases 2 & 3

Mr. Steele stated they have had several internal meetings and have put together draft documents for some those interested in sewer service. Mr. Steele indicated public meetings would be done in two different phases. Mr. Steele felt like one on one contact with the business owners would be the best route to take and discussed reasons for this determination. They are allowing several months to obtain grants for the project due to the weather.

Mr. Chase asked if they had an idea of dates or months for the next phase, the Foxfire areas.

Mr. Cornett stated a specific date or location has not yet been targeted to talk with those interested in sewer service. We are reviewing notification letters internally, and are hoping to issue letters to people in Phase 2A, notifying them of the potential project and encouraging them to schedule a meeting with WCSA. We would like to allow about two weeks after that mailing before we issue a mailing regarding Phase 3, the Foxfire

area. We plan on identifying a sight for the Project Information Meeting and have looked at having it in the Phase 3 Project Area, on a vacant lot, said Mr. Cornett. After much discussion, it was decided to have that a less formal, more meeting intimate at the Higher Education Center to inform people of the advantages of public sewer and the costs associated with it. We plan to provide the public about seven days notice on that meeting, and plan on holding that meeting mid March for Phase 2A and end of March or the first of April for Phase 3, said Mr. Cornett.

### Mr. Bobby Lane of The Lane Group, Inc. (TLG) reported on the following projects:

• Drinking Water Treatment Plant Expansion (6.6 MGD to 12 MGD) and Raw Water Intake

Mr. Lane reported that work is going well. Mr. Lane said they are reviewing the schedule and hope to meet next week with the contractor. The contract is scheduled to be completed in December of 2012. The contractor has completed excavation for the wet well for the pump station and is pouring it. Work at the intake is a different matter, said Mr. Lane. There are three directional drill holes between the intake and the pump station, and there is one 8 inch pipe and two 20 inch pipes. The contractor has substantially completed the three pilot holes for those three lines, he added. About two weeks ago, the drill rig flooded out and had to be sent off to be repaired. Their contract time expires on July 8, 2012 Mr. Lane reported. Mr. Lane explained that when the water rises in the lake, the contractor will have to move out of the lake and cannot continue the work until the water recedes. That means the contractor will

not finish his work at the intake before the water starts to rise next month and so, will not be finished by the contract date of July 8, 2012. The Lane Group is working with the contractor to develop contingency plans and will be meeting with Elliott. Lawson and Minor concerning contractual matters so we have a strategy of how to address this situation. With the two existing pumps at the Middle Fork we can deliver 7.5 million gallons of water per day to the water treatment plant, said Mr. Lane. Mr. Chase asked how long the setback would delay the project. Mr. Lane said the contractor could get back in the stream around October 2012 and would have from October 2012 to February 2013 to finish. Typically, the contractor can work until mid March, Mr. Lane added. Mr. Cornett stated that our permit limits us to pull 6.6 million gallons per day on average from the river.

Mr. Cornett said, he along with WCSA staff, were looking into the amount of water we actually need. The average for last year was 7.2 million gallons per day and the maximum day was 8.3 million gallons. We own .6 million gallon per day at Mill Creek, about 800,000 gallons per day from Taylors Valley, but that source is not always reliable. The biggest question is will the contractor finish in the next construction window, said Mr. Cornett. If the contractor finishes by March of 2013, operating under full capacity is doable. If we have to operate another six to nine months under full capacity, that is another matter, said Mr. Cornett. He continued saving there are things we can do in terms of resources and execution in the next window of construction to ensure the contractor finishes on time that we could not do at this time, under that assumption we should be fine. Mr. Lane

explained to the Board that the permit does not require the removal of the coffer dam so that will help the contractor save time in the next window of construction. Mr. Lane said as long the contractor is within his contract time. the means and methods he uses are his responsibility. Once he falls outside the contract time, we can then step in to ensure he uses proper means and methods to ensure the project finishes on time, pending approval from Mr. Lawson. We will continue to work with the contractor, WCSA staff and legal counsel to resolve this issue, said Mr. Lane. Mr. Cornett offered that the work that needed to be done in the river could have easily been done in the amount of time provided. Mr. Cornett, Mr. Lane and the Board had a brief discussion about the delays in the project and the work that is continuing.

### Raw Water Line

Mr. Lane said that the contractor still has some site restoration to complete and is waiting until it gets a little dryer to complete those items.

### • Bristol Area Water Restructuring Project

Mr. Lane reported that Crosspointe was on the job, has delivered pipe material to the site and work is underway. Mr. Lane said the contractors work is to be completed by September of 2012.

### • Exit 13 Project

Mr. Lane reported that work is moving along well. The pump station is under construction with two crews working now. Ramey Inc. is expected to be on site this week and has already delivered materials to the site. They hope to have four sewer line crews and one pump station crew working by the end of March. The work at Exit 13 is on schedule reported Mr. Lane. • Exit 13 Force Main Project Phase 1 (formally Exit 14 Project)

Mr. Lane said they have delivered plans and specifications to DEO, who is funding the project. We have heard back from all environmental agencies that need to report, and expect to have permission to advertise the Exit 13 Force Main Project in the next couple of weeks. We expect to have permits in place and also have one easement associated with that project. Mr. Lane requested the Boards permission to advertise the project. A motion to allow permission to advertise the Exit 13 Force Main Project was made by Mr. Hutchinson, seconded by Mr. Stephon and approved by Board vote of 7-0-0-0.

# Galvanized Line Replacement Project

Mr. Lane reported that Division 1 and 2 are nearing completion. The contractor is finished with the exception of clean up items for Division 2; Lowry Hills. Mr. Lane said he will be making a recommendation to the Board at the March Board Meeting on how to utilize those funds that were budgeted for this project but not spent.

Mr. Lane then reported on Division 3, saying they were about 75% complete on the Main Line and are on schedule with the Galvanized Line Projects.

# Mr. Kevin Heath of Adams-Heath Engineering(AHE)

### • Whites Mill

Mr. Heath reported final completion was issued for Contract 2 (the pump station) and Contract 3 (the water storage tank).

The remaining open contract is Contract 1, which is line work with Tipton construction. We expect to be in a position to issue substantial completion on Contract 1 this week. Tipton Construction is currently working on punch list items and all work items listed in their contract have been completed. We expect to draft a Final Cleanup Change Order and adjust their Final Contract Values to reflect what has been installed and have that for the March Board Meeting said Mr. Heath.

# • Abingdon Tank

Mr. Heath said they are still waiting to get the field inspections completed by the consultant. Liquid Engineering Corporation is scheduled to do the interior inspections in conjunction with other work they will be completing for WCSA, and hopes to have the inspection complete by the first of March. Once the inspection is complete, we will be in a position to complete that draft study and provide it to WCSA for review, stated Mr. Heath

# Green Springs

Mr. Heath has completed the first draft set of plans and has submitted those to WCSA for review and approval. He will then be in a position to submit them to the Health Department and submit all the necessary regulatory permits.

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

### Sutherland Project

Mrs. Helbert said that we now have an executed Special Use Permit for the project. WCSA staff is working on various submittals to Tennessee and Virginia agencies as well as Contract Documents for the project.

### • South Fork River Crossing

Mrs. Helbert reported that work has been held up by the weather and it has slowed the project down. Most days, it has been raining or the river has been up. The contractors have relocated and are working on the easier part of the project, stated Mrs. Helbert. Mrs. Helbert also said they have completed interviews for the outstanding projects and are negotiating contracts for all those projects listed.

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

Mr. Cornett referred to his General Manager's report at the Board's stations. He reported on the following noteworthy WCSA performance & accomplishments from all departments during January:

- Produced over 193 million gallons of drinking water.
- Continued support of the expansion of our Middle Fork Drinking Water Plant.

# **Distribution**

- Coordinated the outside purchase of more than 16 million gallons of drinking water.
- In total, 6.752 million gallons per day (MGD) of drinking water was distributed to our customers
- Continued coordination and support of WCSA's ongoing capital projects.

# Meter Department

- 135 customers were telephoned following unusually high usage.
- 167 meters were lifted for non-payment.

# Customer Service

- More than \$24,000 was abated for 110 customer's water leaks.
- More than \$2,700 was written off as bad debt three years old.
- 5 water taps applied for.
- 149 reconnections/transfers of service.
- Over 4,500 accounts with late charges added.
- Over 1,300 disconnect notices were processed.
- 167 disconnects for non-payment.

# **Maintenance**

- 31 leaks.
- 9 major breaks.
- 37 water taps.
- 2 wastewater taps.
- 71 after hour maintenance call-outs.
- Assisting Galvanized Line and Reedy Creek Road contractors with mainline taps are ongoing prospecting.
- Assisted in pulling and reinstalling one of the two Abingdon pumps.
- Assisting in turning "off" and "on" Reservation Spring due to high turbidity last month. It was off for about 37 hours last month.

# <u>Wastewater</u>

• Treated over 11 million gallons of wastewater.

# Administrative Items

- Congratulations to Jimmy Mullins of the Wastewater Department for achieving his Class 4 Wastewater License.
- Congratulations to April Helbert as she has been promoted to the position of Manager of Engineering effective February 27, 2012.
- Over seven projects WCSA invested approximately \$1.4 million during the month of January in construction dollars.
- January resulted in no changes to the nonresidential connection fees that are pending or paid in our water systems for the current fiscal year.
- Continued months long discussions with MXI and Washington County officials regarding a possible discharge to WCSA's Hall Creek Wastewater Treatment Plant.
- AWWA Infrastructure Report issues a call to action: "Buried no Longer".

### 9. Consideration of an Engineering Agreement Between WCSA and The Lane Group for the Galvanized Line Phase 2 Project *April Helbert*

Mrs. Helbert said the Lane Group would be looking at the areas that would give WCSA the most bang for our buck. It seems that those areas will likely be County. Washington Western the remainder of the Town of Abingdon and surrounding areas, and areas southeast of Abingdon between Abingdon and Glade Spring. Total construction costs for Phase 2 are estimated to be \$7.7 million. Engineering costs are indicated in this Agreement to be \$660,000, with up to \$100,000 in additional engineering services and up to \$345,000 for RPR services, added Mrs. Helbert. Mr. Taylor motioned to approve the Engineering Agreement between the Lane Group and WCSA for the Galvanized Line Phase 2 Project. Mr. Stout seconded and the Board approved voting 7-0-0-0.

### 10. Consideration of an Engineering Agreement Between WCSA and The Lane Group for the Hidden Valley Area Water System Extension April Helbert

According to Mrs. Helbert, the proposed cost is \$29,000 and would include an analysis of the existing system, a needs assessment for extending water to the Hidden Valley area, evaluation of design conditions and alternative options and implementation plan. Mr. Stout motioned to approve the Engineering Agreement between WCSA and the Lane Group for the Hidden Valley Area Water System Extension Study for \$29,000. The motion was seconded by Mr. Coleman and approved by the Board voting 7-0-0-0.

### 11. Consideration of an Engineering Agreement Between WCSA and The Lane Group for the Exit 13 Force Main Project *April Helbert*

Mrs. Helbert reported that the project would involve about 12,000 feet of 16 inch force main. In this Agreement, the cost of engineering services is \$90,000, with additional engineering services not to exceed \$35,000. RPR services will cost \$86,400 and include thirty six, 40 hour weeks. Mr. Miller motioned to approve the Engineering Agreement between WCSA and the Lane Group for the Exit 13 Force Main Project. Mr. Hutchinson seconded the motion followed by the Board approving with a 7-0-0-0 vote.

### 12. Consideration of an Engineering Agreement Between WCSA and The Lane Group for the Western Washington County Sewer Study Amendment #1 April Helbert

Mrs. Helbert reported that Amendment #1 includes negotiations with Local Municipal Governments and the preparation of Inter-Municipal Agreements. That amount is not to exceed \$10,000. It also includes the preparation of VPDES Permit Applications for discharge to Beaver Creek for the lump sum amount of \$13,750, not to exceed \$7,500 for potential permit contingency items. Also included is funding acquisition in an amount not to exceed \$10,000. Mr. Hutchinson motioned to approve the Engineering Agreement between WCSA and the Lane Group for the Western Washington County Sewer Study Amendment #1. Mr. Stephon seconded the motion and the Board approved voting 7-0-0-0.

13. Consideration of an Engineering Agreement Between WCSA and Adams Heath Engineering for the Route 58 Corridor Water System Improvements Project *April Helbert* 

Mrs. Helbert reported that this project is proposed to replace about 5,500 linear foot of water lines, a new 1 million gallon tank, back pressure sustaining valves on Spring Line and finished water pumps at the Water Treatment Plant based on PER completed by DAA. The Engineering Agreement is for the design purposes. There will be a review of the report and preparation of any necessary amendments for funding agencies for a lump sum payment of \$3,100. The engineering services, including design, are proposed at \$118,000. The RPR is \$68,000, based on thirty four, 40 hour weeks. The Agreement also includes additional engineering services, in an amount not to exceed \$21,000. Mr. Taylor motioned to approve the Engineering Agreement between WCSA and the Lane Group for Route 58 Corridor Water System Improvements Project. Mr. Stout seconded the motion and the Board approved voting 7-0-0-0.

### 14. Consideration of Change Order #2 for Division 1 of the Galvanized Line Replacement Project *Bobby Lane, The Lane Group*

Mr. Lane said there were significant funds remaining in the project budget for the Galvanized Line Replacement Project Division 1. These are monies that did not have to be spent on asphalt restoration. Mr. Lane asked the Boards concurrence to use those funds to complete the replacement of galvanized line in Glade Spring. Change Order #2 (see attached) completes that work. Mr. Lane referred to the second page, showing the increases and decreases

associated with the finalization of the contract. It results in a net change in contract price of a positive \$41,669.01. This does complete all the galvanized water line replacement in Glade Spring and the contractor did a very good job on Lane. this work, said Mr. He recommended that Change Order #2 be authorized by the Board. Mr. Stephon motioned to authorize Change Order #2, Mr. Hutchinson seconded the motion and the Board approved with a vote of 7-0-0-0.

# **15. Consideration of Vehicle Bids** *Kim Herald*

Mrs. Harold referred to the bid sheet given to the Board. After review of the sheet, she asked the Board to approve the purchase of three ½ ton 4X4 trucks from Bill Gatton and two ¾ ton trucks with beds from Bill Gatton as they were the only dealership that met the full specifications for those vehicles. She also asked to purchase the one SUV from the lowest bidder, Satfford Dodge.

Mr. Stout motioned to purchase three <sup>1</sup>/<sub>2</sub> ton 4X4 trucks from Bill Gatton totaling \$62,967, to purchase two <sup>3</sup>/<sub>4</sub> ton 4X4 trucks with beds from Bill Gatton totaling \$45,152 and one SUV from Stafford Dodge totaling \$20.352. Mr. Coleman seconded and the Board approved with a vote of 7-0-0-0.

# **16. Closed Meeting**

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) (3): Acquisition and Disposition of Property. 2. To discuss and consider the acquisition of real property, Code of Virginia Section 2.2-3711 (A) (5): Prospective Business, 3. Discussion concerning a prospective business, Code of Virginia Section 2.2-3711 (A) (6): Investment of Public Funds, 3. To discuss various Intermunicipal and other agreements, Code of Virginia Section 2.2-3711 Paragraph (A) (7): Legal Advice, 5. To discuss potential litigation. 6. To discuss various Inter-municipal and other agreements. 7. To discuss potential contract litigation. In addition to the Board, the presence of Mr. Mark Lawson, WCSA Counsel, and Mr. Robbie Cornett, WCSA General Manager was requested. A second to the Motion of Closed Meeting was made by Mr. Miller and was approved by Board vote of 7-0-0. The Board adjourned to Closed Meeting at 7:53 PM.

# **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 from Closed Meeting at 9:50 PM. Mr. Stephon read the following: Certification of Closed Meeting; Washington Whereas, the 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. Stephon, Mr. Chase, Mr. Coleman, Mr. Taylor and Mr. Stout confirming that no outside discussion took place other than Closed Meeting topics.

# 17. Late Items

### Late Item #1: Design Build

Mr. Cornett discussed the idea of considering Design Build for the possible new Wastewater Treatment Plant in Western Washington County. Mr. Cornett emailed the Board regarding information on Design a Build conference being held in Phoenix, AZ in April. The conference has some information regarding the advantages of Design Build for Water and Wastewater Industry. Mr. Hutchinson said he found some useful information advocating the advantages of Design Build. Mr. Cornett is in the process of polling other Authorities around Virginia that have used Design Build for Water and Wastewater projects. At this point, all the response has been positive. particularly when it involves а Treatment Plant or a larger line related type project, said Mr. Cornett. Design build is something that we have never used at WCSA. There appears to be very substantial benefits to Design Build and for that reason, if we gave it serious

consideration we would have to become much more educated on the process, stated Mr. Cornett. He thinks the best way to become more educated on the process is to go to a conference. Mr. Cornett said that the conference held in Arizona appears to be one of the better conferences. In talking with other Authority General Managers and from reading I have done, it is very important to have the proper contract and contract negotiations up front, Mr. Cornett said. For that reason I would suggest that someone from Elliott, Lawson and Minor accompany us, stated Mr. Cornett. Cornett asked Mr. the Boards consideration that a couple of Board members attend the DBIA Conference. along with WCSA staff members and a Legal Counsel. Mr. Cornett stated Design build was the route he would like to go with the new Wastewater Treatment Plant. Mr. Taylor said the biggest advantage with Design Build was that you shift the risk of a project. He then gave a brief explanation of Design Build. Mr. Taylor said very seldom were there change orders associated with Design Build. Mr. Hutchinson added that projects are completed quicker under the Design Build process. He also discussed the bid process WCSA has now, and how the Design Build process is different. He then added that there were not as many project delays and you save money on projects in the long run through Design Build. Mr. Hutchinson said it was his experience that many different entities were leaning toward having projects done by Design Build. Mr. Cornett stated he talked with the Director at the Public Service Authority in Bedford County as they had the first Design Build project for a Water and Sewer Utility Company in Virginia. The

Director at the Bedford County Public Service Authority said Design Build was the only way to go, he highly recommended Design Build for projects, added Mr. Cornett. Mr. Taylor said one of the most important aspects of Design Build was the legal aspect of it. Mr. Lawson stated there are specific Virginia Statutes for procuring Design Build.

After a brief discussion about who would attend the DBIA Conference, Mr. Stephon motioned that Mr. Cornett choose a team consisting of WCSA staff and Legal Counsel to attend the DBIA Conference in Phoenix, AZ in April and report back to the Board. Mr. Taylor seconded the motion and the Board approved voting 7-0-0-0.

### Late Item #2: General Managers Search Committee Update

Mr. Cornett reported that Mr. Chase, Mr. Stephon and Mr. Lawson have received General Manager's packets with a spread sheet in each to rank candidates. Mr. Cornett said there were about sixteen applicants for the position of General Managers. He suggested a meeting in about two weeks to discuss a short list of applicants for interview. Mr. Chase recommended Mr. Cornett send an email to the Search Committee members suggesting dates for the meeting. Mr. Cornett said he would do that this week.

# Late Item #3: Department of Housing Commission

Mr. Cornett said they were planning to apply to the Department of Housing Community Development for Community Development Block Grants for Mendota. Mr. Cornett said he was to make my first of three appearances to the Board of Supervisors tomorrow evening if any of the Board members would like to attend. According to Mr. Cornett, the first meeting is to ask the Boards permission to apply for the grant, followed by two Public Hearings on March 13 and 27, where people may speak for or against your particular project.

### 18. Adjourn or <u>Recess</u>

Mr. Cornett asked the Board to consider recessing the meeting until March 26, 2012 at 5:30 PM to allow time for a Budget, Rate and Charge Workshop. Mr. Stephon motioned to recess, Mr. Miller seconded and the Board approved with a vote of 7-0-0-0.

Chase. Chairman Mr. Joe

Carol Ann/Shaffer, Assistant Secretary

# 2011-2012 Fiscal Year Capacity, Connection Fee and Cost Report

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1,200,000 Available Capacity

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#### **Dispute Resolution**

Paragraph 6.08 of the Agreement is amended and supplemented to include the following agreement of the parties:

#### H.6.08 Dispute Resolution

- A. Mediation. Owner and Engineer agree that they shall first submit any and all unsettled claims, counterclaims, disputes, and other matters in question between them arising out of or relating to this Agreement or the breach thereof ("Disputes") to mediation by <u>a mutually agreed upon party</u>. If such mediation is unsuccessful in resolving a Dispute, then (1) all dispute in which more than \$200,000 is in controversy may be resolved only by a court of competent jurisdiction, (2) for disputes of less than \$200,000, the parties may mutually agree to a dispute resolution method of their choice, including but not limited to arbitration pursuant to the terms of paragraph H.6.08.B or (3) in any case either party may seek to have the Dispute resolved by a court of competent jurisdiction.
- B. Arbitration. If the parties mutually agree, and the amount in controversy is less than \$200,000 the Disputes between Owner and Engineer shall be settled by arbitration in accordance with the <u>American Arbitration Association</u> rules effective at the Effective Date of the Agreement, subject to the conditions stated below. This agreement to arbitrate and any other agreement or consent to arbitrate entered into in accordance with this paragraph H.6.08.A will be specifically enforceable under prevailing law of any court having jurisdiction.
  - Notice of the demand for arbitration must be filed in writing with the other party to the Agreement and with the
    <u>American Arbitration Association</u>. The demand must be made within a reasonable time after the Dispute has
    arisen. In no event may the demand for arbitration be made after the date when institution of legal or equitable
    proceedings based on such Dispute would be barred by the applicable statute of limitations.
  - 2. All demands for arbitration and all answering statements thereto which include any monetary claims must contain a statement that the total sum or value in controversy as alleged by the party making such demand or answering statement is not more than \$200,000 (exclusive of interest and costs). The arbitrators will not have jurisdiction, power, or authority to consider, or make findings (except in denial of their own jurisdiction) concerning any Dispute if the amount in controversy in such Dispute is more than \$200,000 (exclusive of interest and costs), or to render a monetary award in response thereto against any party which totals more than \$200,000 (exclusive of interest and costs). Disputes that are not subject to arbitration under this paragraph may be resolved in any court of competent jurisdiction.
  - 3. The award rendered by the arbitrators shall be in writing, and shall include: (a) a precise breakdown of the award; and (b) a written explanation of the award specifically citing the Agreement provisions deemed applicable and relied on in making the award.
  - 4. The award rendered by the arbitrators will be consistent with the Agreement of the parties and final, and judgment may be entered upon it in any court having jurisdiction thereof, and will not be subject to appeal or modification.

5. If a Dispute in question between Owner and Engineer involves the work of a Contractor, subcontractor, or consultants to the Owner or Engineer (each a "Joinable Party"), either Owner or Engineer may join each Joinable Party as a party to the arbitration between Owner and Engineer hereunder, and Engineer or Owner, as appropriate, shall include in each contract with each such Joinable Party a specific provision whereby such Joinable Party consents to being joined in an arbitration between Owner and Engineer involving the work of such Joinable Party. Nothing in this paragraph H.6.08.A.5 nor in the provision of such contract consenting to joinder shall create any claim, right, or cause of action in favor of the Joinable Party and against Owner or Engineer that does not otherwise exist.

### Washington County Service Authority

#### **RESOLUTION**

**BE IT RESOLVED** that, pursuant to two public hearings, the Washington County Service Authority wishes to apply for approximately \$400,000 of Virginia Community Development Block Grant funds for the Mendota Community Water System Improvements Project.

WHEREAS \$50,000 of WCSA funds will also be expended on this project, it is projected that improved water quality for at least 52 individual connections will result from the implementation of this project, of which at least 29 will be low- and moderate income persons.

**BE IT FURTHER RESOLVED** that Robbie Cornett, WCSA General Manager is hereby authorized to sign and submit appropriate documents for the submittal of this Virginia Community Development Block Grant proposal.

Motion by: _	DWAIN MILLER	
Aye	Nay O Absent	
This _ 2	day of	l

Chase, Chairman

Seconded by: DEVERE HUTCHINSON

Attest: Amanda Paukovitz, Assistant Secreta Ггеазигег

# Washington County Service Authority Truck Bed Bid Opening March 21, 2012 - 2:00 p.m.



Bidder	Truck Bed w/trade in	Truck Bed w/o trade in
General Truck Body Co Inc	\$5415 ee/\$10830 total	· · · · · · · · · · · · · · · · · · ·
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All bids shown are unit prices.

Opened By:	Karen Lester	
Witnessed By:	Kimberly Harold	
Date:	3/21/2012	

# Change Order

No. <u>2</u>

roject: Galvanized Waterline Replacem	ent - Owner w	ashington County Service Authority	Owner's Contract No.:	
Phase I				
ontract: Division 1			Date of Contract: 1/31/2011	
ontractor: Classic City Mechanical (CCM)			Engineer's Project No.: 1029	
he Contract Documents are modified	as follows upo	n execution of this Change Ord	er:	
he Contract Price should be adjusted				
or Additional Work shown, Items 1, 2,	12, 13, and 14	will be increased as summarize	d in the attachments.	
em 12A is to be paid directly by the W	/CSA.			
ttachments: (List documents supporting	change): (1) Ju	uly 25, 2011 LANE Group letter	(2) July 25, 2011 letter from CCM	
ncluding HD Supply pricing updates.				
CHANGE IN CONTRACT PR		CHANGE IN C	ONTRACT TIMES: NONE	
Driginal Contract Price:			Norking days 🔲 Calendar days	
\$		Ready for final payment (days		
Increase from previously approved Change Orders Noto No:		[Increase] [Decrease] from prev No. <u>NA</u> to No.		
		Substantial completion (days):		
\$ <u>21,600.00</u>		Ready for final payment (days)		
Contract Price prior to this Change Order:		Contract Times prior to this Cha	nge Order:	
		Substantial completion (days o		
\$1,008,394.85		Ready for final payment (days	or date): November 27, 2011	
crease of this Change Order:		Increase of this Change Order:	<u>94 days</u>	
		Substantial completion (days or date):		
\$ <u>41,669.01</u>		Ready for final payment (days	or date): February 29, 2012	
contract Price incorporating this Change C	Irder:	Contract Times with all approved	Change Orders:	
		Substantial completion (days or date):		
		Ready for final payment (days	or date): February 29, 2012	
\$ <u>1,050,063.86</u>			·····	
\$ <u>1,050,063.86</u> ECOMMENDED:	ACCEPTED:		ACCEPTED:	
ECOMMENDED:				
ECOMMENDED:	Ву:		ACCEPTED: By: Contractor (Authorized Signature)	
	By: Owner (Auth. Sig	nature): Washington Co. Svc. Auth.	By: Contractor (Authonized Signature)	
ECOMMENDED: /: ngineer (Authorized Signature):The Lane Group	By: Owner (Auth. Sig	nature): Washington Co. Svc. Auth.	Ву:	

.

Description of Changes		DECREASE	INCREASE	
(Supplemental Plans and Specifications Attached)	in	Contract Price	in (	Contract Prie
Naterline - Base Contract Adjustment				
tem 1 - 6" Waterline:				
tem 2 - 4" Waterline:				
tem 3 - 2" Waterline: (+1,531 LF @ \$10.00 per LF)			\$	15,310.00
tem 4 - 6" Gate Valve + Box: (-6 @ \$915 ea)	\$	5,490.00		
tem 5 - 4" Gate Valve + Box: (-5 @ \$780 ea)	\$	3,900.00		
tem 6 - 2" Gate Valve + Box: (-4 @ \$700 ea)	\$	2,800.00		
tem 7 - 6" Connection: (+1 @ \$2,650 ea)			. \$.	2,650.00
tem 8 - 4" Connection: (+1 @ \$2,200 ea)			\$	2,200.00
tem 9 - 2" Connection: (+5 @ \$955 ea)			\$	4,775.00
tem 10 - Abandon 2" Waterline: (+9 @ \$490 ea)			\$	4,410.00
tem 10A - Prospecting: (+109 @ \$80.00 per hr)			\$	8,720.00
tem 11 - 3/4" Service line under pavement: (-636 LF @ \$13.80 per LF)	\$	8,776.80		
tern 12 - 3/4" Service line, trench: (+636 LF @ \$10.80 per LF)			\$	6,868.80
tem 13 - 1" Service line under pavement:				· · ; · · · · · · · · · · · · · · · · ·
tem 14 - 1" Service line, trench:				
tem 15 - Reconnect existing service: (+53 @ \$245 ea)			\$	12,985.00
tem 16 - Relocate existing meter: (+7 @ \$445 ea)			\$	3,115.00
tem 17 - 2" Blow off Valve: (+5 @ \$1975 ea)			\$	9,875.00
tem 18 - Driveway Repair: (+50 @ \$500 ea)			\$	25,000.00
tem 19 - 14" Casing by Bore (-90 LF @ 185.00 per LF)	\$	16,650.00		
tern 20 - 14" Casing by open cut (+166 LF @ 100.00 per LF)			\$	16,600.00
tem 21 - 12" Casing by Bore (-90 LF @ 145.00 per LF)	\$	13,050.00		<u>-</u>
em 22 - 12" Casing by open cut (-55 LF @ 80.00 per LF)	\$	4,400.00		
em 23 - 6" Casing by Bore (+20 LF @ 80.00 per LF)			\$	1,600.00
em 24 - 6" Casing by open cut (+6 LF @ 40.00 per LF)			\$	240.00
em 25 - Concrete Encasement (-374 LF @ 11.00 per LF)	\$	4,114.00		·····
em 26 - Sewer Replacement: (-12 @ \$400 ea)	\$	4,800.00		
em 27 - 10" PVC Encasement: (-40 @ \$195 ea)	\$	7,800.00		
em 28 - 8" PVC Encasement: (-25 @ \$175 ea)	\$	4,375.00		
em 29 - 6" PVC Encasement: (-18 @ \$155 ea)	\$	2,790.00		
em 30 - Asphalt Paving: (- 812.5 tons @ \$100 per ton)	\$	81,250.00		
em 31 - Milling of Asphalt: (-2000 sy @ \$4 per sy)	\$	8,000.00		
em 32 - Fire Hydrant Assembly: (+4 @ \$3300 ea)			\$	13,200.00
em 34 - VDOT Bond Allowance: (-\$2,698.00)	\$	2,698.00		
em 35 - VDOT Permit Allowance		\$ 1,275.00	[	
dditional Work for Change Order No. 2				
em 1 - 6" Waterline: (+2460 LF @ \$23.36 per LF)			\$	57,465.60
em 2 - 4" Waterline: (+203 LF @ \$20.54 per LF)			\$	4,169.62
em 12 - 3/4" Service line, trench: (+1,108 LF @ \$11.14 per LF)			\$	12,343.12
em 13 - 1" Service line under pavement: (+41 LF @ \$16.24 per LF)			\$	665.84
em 14 - 1" Service line, trench: (+287 LF @ \$12.69 per LF)			\$	3,642.03
em 12A - 3/4" Service line for relocated meters (+741 LF @10.80 per LF)			\$	8,002.80
			<u> </u>	
TO	TALS \$	172,168.80	\$	213,837.81
		114,100.00	L.Ψ.	£ 10,007.0
NET CHANGE IN CONTRACT PR	ICE:			\$41,669.0

5 - **5** 

# Washington County Service Authority Vehicle Bid Opening Thursday, February 16 - 1:00 p.m.



Ite	m number 1	2a	2b	3
Vehicle Bidder	(3) 1/2 Ton 4 Pickups	X4 (2) 3/4 Ton 4X4 Pickups with bed	(2) 3/4 Ton 4X4 Pickups without bed	(1) SUV
	\$20,100/\$60,30	0 \$21,499/\$42,998	\$21,000/\$42,000	\$24,500
STAFFORD DODGE	\$20,370/\$61,11	0 \$25,627/\$51,254	\$25,440/\$50,880	
BILL GATTON	\$20,988/882,98	7 \$22,576/\$45,152	\$21,994/\$43,988	NO BID
CRABTREE	\$21,150/\$63,45	0 \$22,750/\$45,500	\$22,500/\$45,000	\$27,995
				·
All bids shown are unit prices	•			

All bids shown are unit prices.

Opened By:	KAREN LESTER
Witnessed By:	KIM HAROLD
Date:	2/16/2012

The recessed meeting of the Washington County Service Authority Board of Commissioners was called to order by the Chairman at 5:30 PM.

# ROLL CALL

Commissioners Present: Mr. Joe Chase, Chairman Mr. Prince Coleman Mr. Devere Hutchinson Mr. Dwain Miller Mr. Kenneth Taylor Mr. Frank Stephon, IV

<u>Commissioners Absent</u>: Mr. D.L. Stout, Vice President

WCSA Staff Present:

Robbie Cornett, General Manager Kimberly Harold, Controller Carol Ann Shaffer, Administrative Assistant

<u>Also Present</u>: Mrs. Dawn Figueiras, General Counsel WCSA Employees

# 3. Approval of the Agenda

Mr. Cornett had no corrections to the Agenda. Mr. Stephon motioned to approve the Agenda. The motion was seconded by Mr. Coleman and approved with a Board vote of 6-0-0-1.

### 4. 2012-2013 Budget Rates, Fees and Charges Workshop. *Mrs. Harold, Mr. Cornett*

Mr. Cornett asked Mrs. Harold to point out changes from last month in the 2012-2013 Proposed Budget. Mrs. Harold referred to page 1, the Administration Departmental Capital Budget, stating that WCSA added \$1500 allowance to purchase engineering desks for the Engineering Department. Mrs. Harold said those were the only changes to the Administration Budget. Mr. Taylor asked to explain the tagalong trailer listed on page 3. He asked if the cost of the trailer was correct since there was \$12,000 appropriated and \$6,900 spent. Mrs. Harold answered, yes; the request was for two trailers since the amount per trailer was under budget. Mr. Taylor asked what Verified G2 Utility Package referred to. Mr. Cornett answered it was a type of locator used to locate buried infrastructure such as water and sewer lines.

Mrs. Harold then spoke about the next change on page 4, the addition of \$95,788 for Mill Creek and the Town of Chilhowie. Mr. Cornett referred to the total Mill Creek Budget, saving he and Mr. Coleman have been meeting with Town of Chilhowie Steering the Committee since October of 2011. An agreement was reached with the Town in 1999 that called for the Steering Committee to reach a Yearly Budget for the treatment plant that addressed reoccurring operating expenses, shown in the first section of the page. He then gave a brief explanation of the page lavout. Mr. Cornett stated the expenses budgeted for the upcoming fiscal year are \$296,400. By contract, WCSA is to divide expenses based on the amount of water we receive from the plant. That WCSA expenses leaves with of \$165,984 and the Town of Chilhowie at \$130,416 as WCSA is using 56% of the plant's water and the Town of Chilhowie is using 44%.

Mr. Cornett then spoke about fixed assets of the treatment plant for the Town of Chilhowie. Mr. Cornett said fixed assets are to be divided based on ownership in the plant. He said WCSA does not own 56% of the plant, though we are using 56% of the water, but we have to divide fixed assets by ownership

in the plant. He went on to say that WCSA's participation decreased to 44% and the Town's increase to 56%. For this reason, WCSA's responsibility for the upcoming fiscal year is \$16,632 or 44%, and the Town \$21,168 or 56% of the fixed assets, Mr. Cornett explained.

Mr. Cornett then discussed the Five Year Capital Improvement Plan saying, these were items that have been identified by the Town of Chilhowie and WCSA as we went through a study of the Mill Creek Drinking Water Plant. He said, we hope to accomplish these items over five years. By doing so, we have a total outlay of \$1,088,500. WCSA is responsible to pay for 44% of the total which is \$478,940 and the Town is responsible for \$609,560. That amount divided by a five year period shows WCSA's contribution is to be \$95,788 and the Town's contribution is \$121,912 each year for five years. Mr. Cornett said WCSA's Operation, Fixed Assets and Capital Improvement Budget for upcoming fiscal year is \$278.404. The Steering Committee has not yet formally adopted the Budget but feels we are close, Mr. Cornett stated. He went on to say that it would be the first budget adopted by the Steering Committee that has been approved since the Agreement was reached in 1999. There was a brief discussion between Mr. Cornett and the Board regarding past billings between the Town of Chilhowie and WCSA. According to Mr. Cornett, this Budget reflects a true split of expenses and is in line with the Agreement. There have been expenses in the past that were not properly billed, those issues have been discussed and we are now moving forward, he said.

A brief discussion ensued among the Board and Mr. Cornett regarding the development of the relationship between WCSA, the Town of Chilhowie and the Steering Committee.

Mrs. Harold then moved on to page 5, referring to the two additional expenditures added to the Distribution Department. The first being \$17,000 for Fire Flow Monitoring Equipment, the second, an increase from \$17,000 to \$23,000, for the Route 740 Pump Station. This was to replace and rebuild one pump and motor, and to add VFDs, she explained.

Mrs. Harold discussed the next change on page 9. The expected expenditures for the Water Treatment Plant are to be \$10,400,000 which will not affect cash flow since that project is bond funded.

Mrs. Harold then went on to page 2 of the Capital Improvements Projects (CIP), lines 39 and 40, that reflects money to be expended for the Exit 13 Phase 1 project. Those monies were not reflected in the Cash portion of the CIP.

Mrs. Harold moved on to items 13, 14, 15, 48, 49 and 50. She explained those were projects WCSA anticipated having in-house engineering, but with the absence of a Chief Engineer at the time, these projects were bid. WCSA did not include engineering services for those projects.

Mrs. Harold then referred to the changes on page 10 for Administration, Water Production and Water Distribution.

Mrs. Harold went on to discuss changes on page 11 explaining that all these figures pull forward to this year's projection, showing an increase of revenue of \$917,445. That amount will change based on the amount spent from Capital Projects and Expenses.

Mrs. Harold explained the deficit of \$2,854,495 shown on page 12. She said that deficit reflects the two projects, in excess of \$1 million, listed under the Cash Funded Projects on the CIP page.

Those two projects would not be funded out of Cash, but WCSA will seek funding for them. Mr. Cornett added that projects 17, 20, 25 and 29 that show in this fiscal year impact the amount on page 12. He added WCSA would not move forward with these projects unless they were funded by outside sources.

Mrs. Harold then went on to discuss the Supplemental Information Budget saying no changes were made, rather additional information was added.

She then referred to the Benefits Summary page and then to the letter from VRS, detailing those additions.

Mrs. Harold went on to the page requested by Mr. Chase showing the total amount spent on WCSA employee benefits. Mr. Chase asked what percentage of the Budget was spent on employee benefits, and if that amount was increasing yearly. He also asked at what point WCSA would require the employees to be responsible for some of the costs of their benefits, if those percentages continue to increase for WCSA. The Board had a brief discussion about benefits offered by other state and federal agencies.

Mr. Chase then asked about Strategic Planning and if it covered employee benefits. Mr. Cornett said a Strategic Plan normally started at the top, working down in an organization when developing the plan, enabling you to identify money spent on capital projects or benefits as well areas that are lacking in funding. This allows you to prioritize spending and funding and develop principals in an organization. Mr. Cornett said his thought was that in the process of developing a Strategic Plan for benefits for WCSA, we should be competitive with others in our market, up to an hour's drive from the Authority in order to retain our employees and the

investment in our employees. Mr. Cornett went on to discuss the changes in health care and benefits as well as the importance of evaluating those changes including compensation and benefits, Strategic through Planning. Mr. Hutchinson asked if WCSA has at some point followed the process of Strategic Planning. Mr. Cornett said not beyond what is outlined in the handout. He added that in the 1996 to 1998 time frame, there is no known Strategic Plan or CIP document that was ever been developed, outlining items in order of importance to WCSA. Mr. Cornett went on to discuss the development of a System Inventory Hydraulic Water Model in 1998, saying, from that came the first official CIP. The first 100 years of WCSA existence was spent on growing the system and the last 10 to 15 years has been spent concentrating on growth related projects and servicing existing customers. Where you spend money as an Authority shows what is important to the business. Mr. Cornett also commented that we have to be concerned about how much money we spend today so that we can be sure to meet our needs for tomorrow. Strategic Planning is so important because it allows you to look in the future, establishing guiding principles for spending. Mr. Hutchinson said, Strategic Planning allows you to be more efficient because it allows you to set priorities of focus for the Authority. The Board and Mr. Cornett went on to discuss the importance of developing a Strategic Business Plan for WCSA. Mr. Hutchinson said he was totally supportive of Strategic Planning and developing a plan for WCSA. He went on to discuss the Wye River project and that a Strategic Plan would have helped support that project. Mr. Chase also said

he supports developing a Strategic Business Plan. Mr. Chase and Mr. Hutchinson commended Mr. Cornett on his efforts in understanding the importance of Strategic Planning. Mr. Cornett said the Strategic Plan he envisions, as he mentioned in his update, involves what is referred to in the industry as an annual report card; allowing you to see where priorities change during the year.

Mr. Chase asked Mrs. Harold if there had been a recent compensation and benefits survey of local authorities. Mr. Cornett stated the last survey was done in 2009 but they would work on surveying other Authorities, as well as compiling data that shows what percent of the Total Operating Costs is spent on employee benefits.

Mrs. Harold then moved on to Proposed Rates, Fees and Charges Amendments handout. She reviewed the change on item number 1, changing the name to Water Service/Meter Inspection Fee from Water Service Fee, allowing WCSA to recover the cost of the meter department installing a reader device on a private source meter.

Mrs. Harold then discussed item number 2. She said the name change would enable WCSA to collect the handling fee and the fees associated with sending out certified mail. The 10% Late Fee is new to the summary as a footnote since we currently charge a 10% late fee.

Mrs. Harold reviewed item number 3, a New item, as WCSA was not currently recovering the cost of installing new Compound or Mag Meters.

Mrs. Harold mentioned item number 4 as a correction to the footnote for a name change only.

Mrs. Harold then went on to item number 5, saying the first fee listed is a new fee of \$315 for WCSA provided

meter and accessories. \$315.00 is the retail cost for those parts. She then referred to the next charge, an existing charge of \$13.05; a per month meter reading and maintenance fee. This fee covers the Meter Department going out and reading meters on a monthly basis. Item number 6, Wastewater Connection Fee & Surcharge is a new fee, said Mrs. Harold. Mr. Cornett said since we began the sewer treatment business, we really have not had any high strength discharge wastewater customers. In looking at the Rate Charge Study in 2008 and 2009, we talked about developing that fee, but decided against that since we didn't have any industrial dischargers. In light of the MXI inquiry to discharge a lot of high strength waste, WCSA engaged the Lane Group and CHA to develop a fee for treating high strength waste.

Mr. Cornett then referred the Board to the handout titled "Proposed Rates, Fees and Charges Amendments Explained". Mr. Cornett moved on to the Resolution (see attached) on the last page, asking the Board to consider the Resolution and tentatively adopt the proposed Rates, Fees and Charges. Mr. Cornett then discussed the requirements in advertising a Public Hearing saying the proposed Rates, Fees and Charges could only be tentatively adopted today, as they cannot be formally adopted until a Public Hearing is held. Mr. Miller asked if it would be possible to discuss the Rates, Fees and Charges as late item in the Regular Board Meeting. The Rates, Fees and Charges Resolution was tabled for discussion at the Regular Board Meeting held on March 26, 2012 at 7:00 PM.

16. <u>Adjourn</u> or Recess

Mr. Taylor motioned to Adjourn the meeting at 6:40 PM. Mr. Stephon seconded the motion and the Board approved with a vote of 6-0-0-1.

Mr/Joe Chase, Chairman

Carol Ann/Shaffer, Assistant Secretary

### Washington County Service Authority

#### **RESOLUTION**

WHEREAS, the Washington County Service Authority is a water and wastewater utility operating in Washington County Virginia;

WHEREAS, the Washington County Service Authority from time-to-time must consider adjusting its rates, fees and charges to meet the capital, operation and maintenance needs of its water and wastewater systems;

WHEREAS, the Washington County Service Authority retained the services of The Lane Group to conduct an analysis of the cost of treating influent wastewater with greater than average biochemical oxygen demand and total suspended solids concentrations. This analysis led to the recommendation for implementing wastewater treatment surcharges and establishing different connection fees for customers discharging higher-concentration wastewater;

WHEREAS, the Washington County Service Authority desires to retain equity among its rates and fees to the greatest extent possible, it is therefore necessary to implement fees for items that create an additional demand on the Washington County Service Authority's resources, such as compound water meters, returned checks, metering private water sources and deduct meters for sewer;

WHEREAS, the Washington County Service Authority has subsequently identified six rates, fees and charges that should be added or modified to ensure equity among customer classifications for the services provided;

**THEREFORE, BE IT RESOLVED,** the Washington County Service Authority's Board of Commissioners hereby preliminarily adopts the rates, fees and charges set forth herein for various miscellaneous fees for the fiscal year 2012-2013 and beyond, as set forth below.

### WATER SERVICE FEES

- 1. \$25.00 Water Service / Meter Inspection Fee
- 2. \$25.00 Returned Payment/Item Fee
- 3. \$6.00 Returned Payment/Item Handling Fee
- 4. Additional fee for Compound/Mag Meters:
  - a. \$1471 2" Compound/Mag Meter
  - b. \$1934 4" Compound/Mag Meter
  - c. \$3526 6" Compound/Mag Meter

### WASTEWATER SERVICE FEES

- 5. Metering of private water supply or deduct meter:
  - a. \$315 for WCSA provided meter and accessories
  - b. \$13.05 per month meter reading and maintenance fee (Meter Read Charge)
- 6. Wastewater Connection Fee & Surcharge:

Carol Ann Shaffer, Assistant Secretary/Treasurer

- a. 3.31 per pound of BOD<sub>5</sub> for waste streams greater than 250 mg/L of BOD<sub>5</sub>
- b. \$.06 per pound of TSS for waste streams greater than 250 mg/L of TSS
- c. For customers with greater than 250 mg/L BOD<sub>5</sub> and/or TSS concentrations, the ERUs will be calculated based on their average monthly flow rates, the BOD<sub>5</sub> loading (in lbs/month) and the TSS loading (in lbs/month). The highest ERU will then be utilized to calculate the system fee.

Motion by: STER	ION	Seconded by: _	COLEMAN
Aye 🥼 Nay	O Absent		
This <u>26 <sup>Tu</sup></u> day of	2012	Joe Chase, Chai	lase
Attest:			