

Washington County Service Authority Board of Commissioners
March 28, 2011 Joint Recessed Meeting Minutes (Held on April 21, 2011 at 7PM)

The Joint Recessed Meeting of the Washington County Service Authority Board of Commissioners, Washington County Board of Supervisors and the Industrial Development Authority was called to order at the Southwest Virginia Higher Education Center in the Grand Hall at 7:04 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:

Mr. Robbie Cornett, General Manager
Mrs. Amanda Paukovitz, Admin. Assistant
Mrs. Kim Harold, Controller

WCSA Legal Counsel:

Mr. Mark Lawson, General Counsel
Mrs. Dawn Figueiras, General Counsel

Supervisors Present:

Mrs. Dulcie Mumpower, Chair
Mr. Odell Owens, Vice Chair
Mr. Phillip McCall
Mr. Kenneth Reynolds
Mr. Joseph Straten
Mr. Thomas Taylor

Supervisors Present:

Mrs. Nicole Price

Washington County Administration Present:

Mr. Mark Reeter, County Administrator
Mrs. Lucy Phillips, County Attorney
Ms. Christy Parker, Assistant County Administrator/Community & Economic Develop.
Mrs. Naoma Norris, Admin. Supervisor

Industrial Development Authority (IDA)

Board of Directors Present:

Mr. Russell Owens, Chairman
Mr. Henry Snodgrass, Vice Chairman
Mr. Clarence Hale
Mr. John Roberts, Sr.
Mr. Patrick Callebs

Industrial Development Authority (IDA)

Board of Directors Absent:

Mr. Curtis Woodward
Mr. Chad Gardner

Industrial Development Authority (IDA)

Administration Present:

Mr. Joe Lyle, IDA Counsel

Also Present:

Delegate Joe Johnson, Virginia House of Delegates
Mr. Bobby Lane, PE, The Lane Group
Mr. Matthew Lane, PE, The Lane Group
Mr. Doug Hudgins, PE, Olver, Inc.
Mr. David McGee, Bristol Herald Courier

2. Invocation and Pledge of Allegiance

Mr. Tom Taylor led the Invocation and Pledge of Allegiance.

3. Approval of the Agenda

With no changes indicated, Mr. Reynolds made the motion to approve the agenda. Mr. Reynolds' motion was seconded by Mr. [Odell] Owens and was approved by a Board vote of 6-0-0-1.

Mr. Stephon made the motion to approve the agenda. Mr. Stephon's motion was seconded by Mr. Stout and was approved by a Board vote of 7-0-0-0.

Mr. Snodgrass made the motion to approve the agenda. Mr. Snodgrass' motion was seconded by Mr. Roberts and was approved by a Board vote of 5-0-0-2.

4. Presentation of the Western Washington County Sewer Study

Mr. Cornett thanked the three Boards for

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allowing the presentation of findings for a very important sewer study for the western part of Washington County. He expressed that the study team has thoroughly enjoyed the work and he thanked the Boards for their support. Mr. Cornett thanked all those who have supported WCSA throughout the years and affirmed this as a team effort. In recognizing this as the first ever joint meeting of all three Boards, he felt this was a fitting topic. He presented the topic, along with the speakers.

Mr. Cornett noted that Western Washington County is an important area; the exact study area will be shown later on a map. He explained that the study area (starting at Jonesboro Road, Kings Mill Pike, Lee Highway, Interstate 81 Exit 13 and westward towards City of Bristol, VA and all the way down to [Interstate 81] Exit 1 at the Tennessee State Line) has a number of maturing subdivisions that need public sewer service. There are many failing septic systems in these neighborhoods. Mr. Cornett expressed we have heard their desires and want to make that service available. He also noted quite a bit of commercial development in this area and hopefully even more in the future. Mr. Cornett referenced two industrial parks in the study area: Bristol/Washington County and Oak Park. The latter in particular is an area that is right for industrial development, which would require further public sewer service. Mr. Cornett noted that two years ago last month, the Washington County Board of Supervisors and the Washington County Board of Commissioners agreed it was time to undertake a study of this area. They discussed a number of different alternatives to bring public sewer service, all of which were quite

expensive. Before undertaking such expenditures, the Boards decided it would be in the best interest of the County and WCSA to study these alternatives carefully to see which alternative(s) would make the most sense for Washington County and WCSA. He explained they then procured the firm of The Lane Group to study the area, who partnered with Olver Incorporated. Mr. Cornett is quite pleased to announce that Bobby Lane and Matthew Lane of The Lane Group, Inc. and Doug Hudgins of Olver Incorporated are here this evening. He noted these are three of the team members who have worked on the project diligently. He explained that looking at the team, not including support staff, the Western Washington County Sewer Study has involved the work of seven professional engineers, two engineers-in-training, and one Class 1 Wastewater Treatment Operator, representing a combination of over 230 years of experience. Mr. Cornett expressed they have a very informative presentation and he thanked the Boards for this opportunity to present to them tonight. He turned the floor over to Bobby Lane.

Mr. Lane, on behalf of The Lane Group and Olver Incorporated, expressed they are honored and privileged to be at the first joint meeting of all three Boards. He proceeded with a 22 minute presentation of the Western Washington County Sewer Study. Mr. Lane reviewed the study's findings and recommendations through slides titled: Study Purpose, Study Area, Existing Facilities-Abingdon Area, Existing Facilities-Bristol Area, Sewer System Infiltration and Inflow, Existing Facilities-Bristol Area, Existing and Projected Flow and Alternatives. Mr. Lane noted that the rest

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of the Presentation would be most appropriate for Closed Meeting He offered to answer any questions the Boards may have thus far.

Mr. McCall inquired of the length of the line which extends from the meter at the Bristol/Washington County Industrial Park. He noted that this is the line from which BVUA wants payment for I&I and to count within our capacity. Matthew Lane affirmed the line is 10-12,000 linear feet, or approximately two miles in length.

Mr. [Odell] Owens asked a question, to which Mr. Lane expressed the answer would be provided in the next session.

5. Ten Minute Recess

Mr. Chase welcomed Delegate Joe Johnson, who was present. The Boards took a five minute recess.

6. Closed Meeting: Investment of Public Funds

Mr. Hutchinson moved that the Board [of Commissioners] adjourn to Closed Meeting in accordance with the Virginia Freedom of Information Act, Code of Virginia § 2.2-3711, Paragraph (A) (6): Investment of Public Funds, "Discussion or Consideration of the Investment of Public Funds Where Competition or Bargaining is Involved, Where, if Made Public Initially, the Financial Interest of the Governmental Unit Would be Adversely Affected" in Order to Receive Information, Consider and Discuss Costs of the Various Alternatives for Treating Wastewater in Western Washington County, Virginia, Including Purchasing Wastewater Treatment Capacity for Another Utility or Developing Capacity for Washington County to Treat its own Wastewater.

In addition to the Board, the presence of the Washington County Board of

Supervisors; Mr. Mark Reeter, County Administrator; Mrs. Lucy Phillips, County Attorney; the Industrial Development Authority of Washington County Board of Directors; Ms. Christy Parker, Assistant County Administrator; Mr. Joe Lyle, Industrial Development Authority Counsel; Mr. Bobby and Matthew Lane, The Lane Group; Mr. Doug Hudgins, Olver Incorporated; WCSA Counsel Mr. Mark Lawson and Mrs. Dawn Figueiras; and Mr. Robbie Cornett, WCSA General Manager, are requested.

Mr. Hutchinson's motion was seconded by Mr. Stout and was approved by a 7-0-0-0 vote of the Board. The Board adjourned to Closed meeting at 7:50 PM.

Mr. Owens moved that the Board [of Supervisors] adjourn to Closed Meeting in accordance with the Virginia Freedom of Information Act, Code of Virginia § 2.2-3711, Paragraph (A) (6): Investment of Public Funds, "Discussion or Consideration of the Investment of Public Funds Where Competition or Bargaining is Involved, Where, if Made Public Initially, the Financial Interest of the Governmental Unit Would be Adversely Affected" in Order to Receive Information, Consider and Discuss Costs of the Various Alternatives for Treating Wastewater in Western Washington County, Virginia, Including Purchasing Wastewater Treatment Capacity for Another Utility or Developing Capacity for Washington County to Treat its own Wastewater.

In addition to the Board, the presence of the Washington County Service Authority Board of Commissioners; Mr. Mark Reeter, County Administrator; Mrs. Lucy Phillips, County Attorney; the Industrial Development Authority of Washington County Board of Directors;

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Ms. Christy Parker, Assistant County Administrator; Mr. Joe Lyle, Industrial Development Authority Counsel; Mr. Bobby and Matthew Lane, The Lane Group; Mr. Doug Hudgins, Olver Incorporated; WCSA Counsel Mr. Mark Lawson and Mrs. Dawn Figueiras; and Mr. Robbie Cornett, WCSA General Manager, are requested.

Mr. Owens' motion was seconded by Mr. Taylor and was approved by a 6-0-0-1 vote of the Board. The Board adjourned to Closed meeting at 7:52 PM.

Mr. Callebs moved that the Board [of Directors] adjourn to Closed Meeting in accordance with the Virginia Freedom of Information Act, Code of Virginia § 2.2-3711, Paragraph (A) (6): Investment of Public Funds, "Discussion or Consideration of the Investment of Public Funds Where Competition or Bargaining is Involved, Where, if Made Public Initially, the Financial Interest of the Governmental Unit Would be Adversely Affected" in Order to Receive Information, Consider and Discuss Costs of the Various Alternatives for Treating Wastewater in Western Washington County, Virginia, Including Purchasing Wastewater Treatment Capacity for Another Utility or Developing Capacity for Washington County to Treat its own Wastewater.

In addition to the Board, the presence of the Washington County Board of Supervisors; Mr. Mark Reeter, County Administrator; Mrs. Lucy Phillips, County Attorney; Ms. Christy Parker, Assistant County Administrator; Mr. Joe Lyle, Industrial Development Authority Counsel; Mr. Bobby and Mr. Matthew Lane, The Lane Group; Mr. Doug Hudgins, Olver Incorporated; the Washington County Service Authority Board of Commissioners; WCSA

Counsel Mr. Mark Lawson and Mrs. Dawn Figueiras; and Mr. Robbie Cornett, WCSA General Manager, are requested.

Mr. Callebs' motion was seconded by Mr. Snodgrass and was approved by a 5-0-0-2 vote of the Board. The Board adjourned to Closed meeting at 7:54 PM.

Return to Public Session

Upon a motion by Mr. Stout, a second by Mr. Hutchinson, and a 7-0-0-0 vote of the Commissioners, the Board returned to Public Session at 9:36 PM.

Mr. Stout 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, § 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: Mr. Miller, Mr. Hutchinson, Mr. Stephon, Mr. Chase, Mr. Stout, Mr. Coleman and Mr. Taylor.

Upon a motion by Mr. McCall, a second by Mr. Reynolds, and a 6-0-0-1 vote of

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the Commissioners, the Board returned to Public Session at 9:38 PM.

Mr. McCall read the following:

Certification of Closed Meeting

Whereas, the Washington County Board of Supervisors 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, § 2.2-3712 Paragraph D of the Code of Virginia requires a certification by this Board that such Closed Meeting was conducted in conformity with Virginia law;

Now, therefore, be it resolved that the Board hereby certifies that to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Closed Meeting to which this certification resolution applies, and (2) only such public business matters, as were identified in the motion convening the Closed Meeting were heard, discussed or considered by the Board.

AYE: Mr. McCall, Mr. Reynolds, Mr. Owens, Mr. Taylor, Mr. Straten & Mrs. Mumpower

Upon a motion by Mr. Snodgrass, a second by Mr. Callebs, and a 5-0-0-2 vote of the Commissioners, the Board returned to Public Session at 9:40 PM. Mr. Snodgrass read the following:

Certification of Closed Meeting

Whereas, the Industrial Development Authority of Washington County Board of Directors 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, § 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: Mr. Hale, Mr. Snodgrass, Mr. Owens, Mr. Roberts & Mr. Callebs.

7. Action to Be Taken Resulting from Closed Meeting (If Any)

Mrs. Mumpower referenced a Joint Resolution being considered for approval (see attached).

Mr. [Odell] Owens expressed that with one member absent, the Board of Supervisors would like to discuss the resolution in more detail, along with other matters, as a complete Board in their next closed meeting.

Mr. Hutchinson made a motion for the Board of Commissioners to approve the Joint Resolution. Mr. Hutchinson's motion was seconded by Mr. Stephon and was approved by a Board vote of 7-0-0-0.

Mr. Snodgrass made a motion for the IDA Board of Directors to approve the Joint Resolution. Mr. Snodgrass' motion was seconded by Mr. Roberts and was approved by a Board vote of 5-0-0-2.

8. Adjourn or Recess

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Mrs. Mumpower reminded the Board of Supervisors of the Dinner with the Extension Agency on Tuesday at 5 PM for the Supervisors before their regular Board Meeting

Mr. Cornett expressed his appreciation to Mr. Reeter, Mrs. Phillips, Ms. Parker, Mr. Lyle and all others who provided support for this evening's meetings. He thanked the Boards for the opportunity to make presentations and also expressed his appreciation of the assistance from staff, the attorneys, etc.

Mrs. Mumpower asked if they are not discussing the redistricting at the upcoming Board meeting. Mrs. Phillips confirmed that is correct. She noted that the Supervisors should have received a memorandum from her.

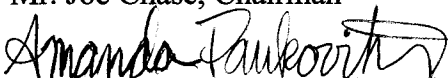
Mr. Owens made the motion to adjourn the meeting. Mr. Owens motion was seconded by Mr. Taylor and was approved by a 6-0-0-1 Board vote. The Board of Supervisors adjourned at 9:43 PM.

Mr. Stout made the motion to adjourn the meeting. Mr. Stout's motion was seconded by Mr. Stephon and was approved by a 7-0-0-0 Board vote. The Board of Commissioners adjourned at 9:44 PM.

The Industrial Development Authority Board of Directors recessed, but planned to adjourn their meeting in a few minutes.



Mr. Joe Chase, Chairman



Amanda Paukovitz, Assistant Secretary

**JOINT RESOLUTION OF
BOARD OF SUPERVISORS OF WASHINGTON COUNTY, VIRGINIA**

**BOARD OF COMMISSIONERS OF WASHINGTON COUNTY SERVICE
AUTHORITY**

And

**BOARD OF DIRECTORS OF INDUSTRIAL DEVELOPMENT AUTHORITY OF
WASHINGTON COUNTY, VIRGINIA**

WHEREAS, on March 17, 2009, the Board of Supervisors of Washington County, Virginia ("County") and the Board of Commissioners of the Washington County Service Authority ("WCSA") considered obtaining a study of future sewer service requirements for western portion of Washington County, Virginia, which would recommend solutions therefor ("the study");

WHEREAS, The Lane Group partnering with Olver Incorporated (together, the "Engineers") was procured to perform the study;

WHEREAS, the Engineers subsequently performed the study, produced written documentation thereof, and on April 21, 2011, presented their findings and recommendations in a Power Point presentation at a joint meeting of County, WCSA, and the Board of Directors of the Industrial Development Authority of Washington County, Virginia ("IDA");

WHEREAS, after receiving and considering the Engineers' findings and recommendations, County, WCSA, and IDA in joint meeting assembled, have concluded that the Engineers' recommendations are in the best long-term interest of the residents of Washington County, Virginia;

NOW, THEREFORE, BE IT RESOLVED by COUNTY, WCSA, and IDA that the Engineers' recommendations be, and they are hereby, adopted by each of County, WCSA, and IDA; that the Engineers' presentation is made a part of the record of said meeting; and that each County, WCSA, and IDA resolves to do all things reasonably necessary to implement the Engineers' recommendations, which include without limitation the following:

1. WCSA is to:
 - A. Simultaneously explore alternatives of:
 1. Negotiating with the Town of Abingdon for additional sewer capacity, and
 2. Developing a variable-flow system with a WCSA-owned 0.5 MGD WWTP

- B. Submit a VPDES discharge permit application for the WWTP referred to above for a minimum discharge of 0.5 MGD to Beaver Creek with a tiered permit requirement of 1.5 MGD
 - C. Finalize a schedule of development for the study area and develop a phased approach for the alternatives above
 - D. Pursue funding for implementation of the Engineers' recommendations
2. IDA is to:
- A. Confirm the sufficiency of the 1 MGD of industrial reserve capacity within Oak Park and BWCIP.
 - B. Support WCSA in the pursuit of funding as pertains to the industrial reserve capacity.
3. County is to:
- A. Support WCSA and/or the IDA in the pursuit of funding, negotiations, permits, approvals as pertains to the implementation of any or all projects in the study area.

WITNESS the signatures and seals of County, WCSA, and IDA hereinafter set forth, this April 21, 2011:

WASHINGTON COUNTY BOARD OF SUPERVISORS

By Its Chairman

ATTEST: _____
Secretary

WASHINGTON COUNTY SERVICE AUTHORITY

Joseph Chase

By Its Chairman

ATTEST: *Rebecca*

Secretary

WASHINGTON COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY

Russell Owens

By Its Chairman

ATTEST: *Jessica S. Lee*

Secretary