

Washington County Service Authority Board of Commissioners
January 28, 2008 Regular Meeting Minutes

The regular meeting of the Washington County Service Authority Board of Commissioners was called to order by the Chairman at 7:00 PM.

ROLL CALL

Commissioners Present:

Mr. Gerald Cole, Chairman
Mr. Scott Rector, Vice-Chairman
Mr. Joe Chase
Mr. Frank Stephon, IV
Mr. D.L. Stout
Mr. Daniel Reynolds

Commissioners Absent

Mr. Sam Blaylock

Staff Present:

Glen McManus, General Manager
Robbie Cornett, Interim General Manager
Kim Roberts, Controller
Doug Canody, Chief Engineer
Ella Ratcliffe, Information Systems Manager
Rick Clevenger, Water Treatment Plant Manager

Consultants Present:

Bill Aden, PE, Draper Aden Associates
Randall Hancock, PE, Draper Aden Associates
Bobby Lane, PE, Lane Engineering
Kevin Heath, PE, Adams-Heath Engineering

Also Present:

Mr. Mark Lawson, General Counsel
WCSA Employees

3. Public Query and Comments

Mr. George Price of 24113 Rich Valley Road addressed the Board and presented a petition for possible water service on Rich Valley Road between Maiden Creek and Whites Mill Road. This petition also included the Chip Ridge and the Litchfield Road area. He presented the Board a hand drawn copy of the houses that either have requested a water

meter or did not want a water meter but would allow an easement across their property for the water line. He stated that the circles on the map represented eight property owners that wanted a meter or future meters for homes or watering cattle. He presented a letter from Mark Mitchell that was not able to attend the meeting. He said that he and his wife owned a rental cabin around the Whites Mill area and he wanted to make sure that the Board was informed that he had to turn away business at this property because he has had a well and a spring that has went dry and was not able to provide water at this location. Mr. Price stated that in the past year that he had to have two new wells drilled to replace an old well and to water cattle. He stated that his father had circulated the petition and there was a church mentioned on the map around the Tool Creek area that was also interested in the service. He stated that the Board of Trustees of the United Methodist church had not met yet so he didn't have an answer on whether they were interested in service. He presented water samples and filters from his home that looked yellow to show the quality of his water. He also stated that other residents had to go to town to do laundry because they could not do it at home because it would ruin their clothing. They also had another resident that had applied to do daycare in her home but was turned down because of the water quality. Mr. Cornett stated that about two weeks ago that he had met with Mr. Wiley Price about this same situation and he had received signed petitions for this area and they would take into

**Washington County Service Authority Board of Commissioners
January 28, 2008 Regular Meeting Minutes**

consideration that there are at least 50% participation of people wanting water in this area. Mr. Cornett felt that this would be one of the projects that the Board would endorse. He said that he was hoping to prepare for water sample collection in the area so we can certify the quality of water in these areas. Mr. Reynolds questioned whether they needed a motion to do a cost estimate. Mr. Cornett said that they would like to bring a list of these projects back to the Board for endorsement before they would do a cost estimate. Mr. Rector questioned why some of these customers in this area did not want water. Mr. Price indicated that they have not heard back for sure about some of these property owners but in the Tool Creek area there are four X's on the petition that belonged to the Counts family and they stated that they were happy with their water and did not need water service. He said that his father had met with People Inc. to see if they would go out and talk to some of these residents to see if the cost was a potential issue. Mr. Canody questioned whether the circles on the petition meant that they did not have 911 addresses and if they were also interested in water service. Mr. Price said that these property owners were interested but there was not a house located on this property at this time.

Mr. Kevin Downs on 12112 Tool Creek Road presented the Board with a water sample at his residence. He stated that he had been at the residence for 17 years and he had went through 3 water heaters, 2 holding tanks, 2 washing machines and 3 dishwashers. He showed the

Board a yellow color filter that came from his water system. He said that he would appreciate any help to rectify this situation.

4. Approval of Agenda

Mr. Cornett stated that he had additional reports from Adams Heath Engineering and The Lane Group that were not included in the board books. A motion was made by Mr. Stout to approve the agenda. Mr. Stout's motion was seconded by Mr. Chase and approved by a 6-0-1 vote.

5. Consent Agenda

- Minutes from December 17th, 2007
- Routine Reports
- Financial Statements for November 2007
- Check Register ending 12/31/07

Items removed from Consent Agenda

None

Mr. Reynolds made a motion to approve the Consent Agenda. Mr. Reynolds motion was seconded by Mr. Stephon. The motion was approved by a 6-0-1 vote.

6. Engineer's Report and Update

Mr. Bill Aden and Randall Hancock with Draper-Aden reported on the following projects:

Sewer O & M Analysis

Mr. Hancock reported that they had received preliminary indications from the Department of Housing and Community Development that they have approved the planning grant for the Exit

**Washington County Service Authority Board of Commissioners
January 28, 2008 Regular Meeting Minutes**

13 PER. They included these with the application to DHCD for the construction grant for the Exit 13 sewer for an amount of \$980,000. They did receive a \$20,000 planning grant for this. They are currently working with the WCSA staff on doing some sewer capacity analysis in the Meadowview area to see if this area can handle additional development.

Glove Drive Waterline Improvements

Mr. Hancock reported that they had the PER approved by the Health Department and they did have the mark-ups provided by Mr. Canody to complete the final plans.

Route 58 Water Storage Facilities

Mr. Hancock reported that they had completed some preliminary road and grading plans for the tank site to present to Mr. Jones for his review. He said that he had come to an agreement of the road location and they will provide some preliminary draining plans to complete the final design.

Seven Springs Secondary Water Supply

He stated that they had received comments from the WCSA staff on the PER and they are going to try and complete this within the next couple of weeks.

Route 58/Watauga Road Waterline Improvements

Mr. Hancock reported that they thought they obtained all of the easements but there were problems with one easement and hoped to have this resolved so they could rapidly move ahead with the project.

Mr. Bobby Lane with Lane Engineering reported on the following projects:

Lime Hill/Walker Mountain Road Project

Mr. Lane reported that are continuing to work with the WCSA staff and VDOT and some property owners to get the final easements ready for the project. He said that they only had one or two easements to obtain. He said that once these issues had been worked out the project should be ready for advertisement and competitive bids.

Raw Water Intake and Treatment Plant Expansion

Mr. Lane said that he wanted to express his appreciation to the Authority for giving them the opportunity to work on this project. He stated that they are now working with the WCSA staff to get the contracts lined out and they had preliminary meetings with DEQ to get everything going for this project.

Mr. Kevin Heath reported on the following projects:

White's Mill Road

Mr. Heath stated that they had continued to work with the WCSA staff on a potential alternative for the tank site for this project. He stated that once the tank site had been approved they would proceed on forwarding the plans to the Department of Health. He did state that this project had also been submitted to the Mount Rogers Planning District for potential funding. He stated that they will be working in the next few days to submit the plans for the water line replacements to the Health Department. He said that they didn't have the issue settled with the tank site now but could

**Washington County Service Authority Board of Commissioners
January 28, 2008 Regular Meeting Minutes**

go ahead and submit the rest of the plans to the Health Department.

Orchard Hill Road

Mr. Heath stated that they had completed plan reviews and had addressed WCSA comments. The staff is still acquiring easements and permits that were required for this project. He stated that they had submitted the stream crossing applications and the WCSA staff had submitted a funding application to the Mount Rogers Planning District Commission and was not aware of any feedback from them at this time.

7. General Manager's Report and Update

Mr. Cornett reported on the following:

Significant Field Work

- 33 leaks were repaired
- 10 breaks were repaired
- 18 water taps made
- 1 wastewater tap made
- 66 after hours maintenance call-outs (recent call-outs have been in single degree temperatures at night and involve our men being dripping wet with water from head to toe.)
- 109 customers were telephoned following unusually high usage.
- \$16,171.12 was abated for 106 customers with water leaks
- \$6099.26 was written off as bad debt three years old (December 2004)

Construction in Progress

- Green Valley Poultry Waterline and Fire Hydrant- The contractor has again requested an extension this time for weather considering the proximity of the project to the road and yards. We plan to grant this extension.
- Caustic Tank Evaluation at the WTP- Soil analyses were sent to

DEQ for evaluation to see if remediation would be required. We are awaiting a decision.

Projects in Design or Pre-Construction Phase

- Raw Water Intake and Treatment Plant Expansion- WCSA met with Lane/Olver and DEQ on January 15th to discuss an interim increase withdrawal from the Middle Fork from 4.6 million to 6.0 million gallons a day. DEQ suggested that we make a written request and this appeared to be optimistic. Later, WCSA and Lane/Olver met to preliminary discuss the intake and plant expansion projects. Currently, WCSA, EL & M and Lane/Olver are preparing for contract negotiations. Our goal is to have the recommended contract to the Board to consider in the February meeting.
- Walker Mountain Road- There is one property remaining to be secured. There appears to be a VDOT easement conflict which needs to be resolved to complete the purchase. WCSA and Legal Counsel are working with VDOT to resolve this conflict.
- Chestnut Mountain Road- Currently we have 8 of 14 easements acquired and one for a pump station and one for a hydropneumatic tank remaining to acquire. We have not received comments on environmental review and plans are 75% complete.
- Mendota Road (Phase 1)- All easements have been obtained. Plans are 100% complete and submitted to all the various agencies for comment. We are still waiting on approval letters from DGIF and DCR. Plans and Specs have been sent to VDH, VDOT and DWSRF for approval.

Washington County Service Authority Board of Commissioners
January 28, 2008 Regular Meeting Minutes

- Denton Valley Road- All 8 easements have been obtained. Plans are 75% complete. We are waiting on comments from DCR and DGIF.
- Tumbling Creek Road- 9 of 10 easements have been obtained and plans are about 75% complete.
- Fire Hydrants in Westwood- The hydraulic evaluation is complete and favorable for hydrants in the area. We plan to send a letter to area residents informing them about the proposed project including cost and to solicit participation. Instead of collecting money from area residents in the past, we plan to have them complete an application which will allow us to charge their account. This way if the project is not funded we owe no one a refund.

Administrative Items

- Long time employee Frances Davidson who works in the Customer Service Department is retiring. After 20 years of greeting the public as a Customer Service Representative working the front window, Frances, a committed employee, has decided to retire.
- Also noteworthy, in soliciting applicants for the Customer Service position, we received 149 applications. Because we received so many applicants we were curious to know why people applied and when asked they said that it is our reputation for being a good place to work. Finally, selected for the position by transfer was WCSA employee Beverly Hall.
- Mr. Stout stated that Mr. Ernest Wright from Damascus had called him concerning a leak adjustment on his account and wanted Mr. Cornett to follow up on this account to see if WCSA could provide him information on how to handle this situation. Mr. Cornett told Mr. Stout

to have Mr. Wright call him and he would give him some suggestions on how to locate his leak problem.

8. Request for Temporary Water and Wastewater Service

Mr. Cornett said that he had included in their Board Update a letter from Mr. Danny Ryan of Leonard LP. He said that this company is Mr. Frank Leonard who is developing property in the name of The Reserve. Mr. Cornett stated that the Tennessee portion of this has been developed and the Virginia portion is yet to be developed. Mr. Cornett said that he and Mr. Mark Reeter had met with Mr. Ryan regarding the Virginia portion of this property development and it is expected to develop within the next year or so. He said that Mr. Leonard would like to construct a pool house and tennis courts adjacent to his personal home but does not have water and sewer service available from WCSA. He is requesting to obtain service from the City of Bristol Tennessee which can serve this in his development. He said that once the Virginia side is developed that they would connect onto the Service Authority infrastructure once it is in place. Mr. Cornett said that he had discussed this information with Mr. Reeter and he said that he did not see any problem in allowing them to do this. Mr. Cornett recommended that the Board consider allowing them to connect to the City of Bristol Tennessee until WCSA's system is available.

A motion was made by Mr. Chase to allow Mr. Leonard to temporarily connect to the City of Bristol Tennessee system until the services are made available by WCSA. Mr.

**Washington County Service Authority Board of Commissioners
January 28, 2008 Regular Meeting Minutes**

Chase's motion was seconded by Mr. Stout and passed by a 6-0-1 vote.

9. Engineering Procurement for Capital Projects

Mr. Doug Canody presented the Board with a handout showing a tentative listing of projects for Engineering Procurement. Mr. Canody stated that currently our engineering services are provided by three different firms which include Draper Aden Associates and The Lane Group who have general service contracts with WCSA and The Adams Heath Engineering firm who currently works under an individual contract for any projects requested by WCSA. Mr. Canody stated the Procurement law allows WCSA to enter into a general service contract with Engineers but limits the amount of payment that we can make to any one firm for all the projects combined up to \$500,000. He also said that any project that has engineering fees associated greater than \$100,000 dollars is by Virginia Procurement law supposed to be considered separately and not be issued under a general services contract. Mr. Canody discussed the handout presented with the most up to date projects to be considered for engineering procurement and individually discussed each project. Mr. Canody requested the Board approve and endorse the Engineering Procurement Projects for 2008 and appoint two members of the Board to an Engineering Procurement Committee. A motion was made by Mr. Stephon to endorse the projects presented by Mr. Canody. Mr. Stephon's motion

was seconded by Mr. Chase and passed by a 6-0-1 vote. Mr. Cole also requested volunteers to serve on the Engineering Procurement Committee. Mr. Chase and Mr. Stout volunteered to serve on this committee.

10. Closed Meeting, Personnel, Investment of Public Funds, Acquisition and Disposition of Property and Legal Advice

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: Discussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specified public officers, appointees, or employees of any public body; and evaluation of the performance of departments where such evaluation of performance of departments necessarily involve discussed specific individuals; and Code of Virginia Section 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 could be adversely affected and Code of Virginia Section 2.2-3711 Paragraph (A) (3): Acquisition and Disposition of Property; the discussion or consideration of the acquisition of real property for public purposes, or of the disposition of publicly held property, where

Washington County Service Authority Board of Commissioners
January 28, 2008 Regular Meeting Minutes

discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body and Code of Virginia Section 2.2-3711 Paragraph (A) (7): Legal advice; Consultation with Legal counsel and briefing by staff members or consultations pertaining to actual or probable litigation, where such consultation with legal counsel employed or retained by the public body regarding specific legal matters requiring the provision of legal advice by such counsel. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on this matter.

In addition to the Board, the presence of Mr. Mark Lawson, WCSA Counsel and Mr. Robbie Cornett, WCSA Interim General Manager and Mr. Glen McManus, WCSA General Manager are requested. The motion by Mr. Stephon was seconded by Mr. Rector. The motion passed (6-0-1). The Board adjourned to Closed Meeting at 7:54 p.m.

Return to Public Session

Upon motion by Mr. Stephon and second by Mr. Rector, the Board returned to Public Session at 10:00 p.m.

Certification of Closed Meeting

Whereas, the Washington County Service Authority has convened to a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision 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. The motion passed 6-0-1.

AYE: Mr. Cole, Mr. Chase, Mr. Stephon, Mr. Stout, Mr. Rector, Mr. Reynolds

NAY: none

Absent: Mr. Blaylock

11. Late Items

Mr. Chase moved that the Board enter into a second employment agreement with Mr. Glen McManus showing that his employment as the WCSA General Manager begin as of April 7th, 2008 and will expire April 6th, 2010. All terms and conditions of the existing employment agreement will remain the same except for the changes in employment dates. Mr. Chase's motion was seconded by

**Washington County Service Authority Board of Commissioners
January 28, 2008 Regular Meeting Minutes**

Mr. Stephon and passed by a 6-0-1 vote.

12. Adjournment

Mr. Rector made a motion to adjourn. Mr. Stout seconded. The motion passed 6-0-1. The Board adjourned at 10:04 p.m.

Mr. Gerald Cole, Chairman

Ella Ratcliffe, Assistant Secretary