

**Washington County Service Authority Board of Commissioners
September 26, 2011 Regular Meeting Minutes**

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

ROLL CALL

Commissioners Present:

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

WCSA Staff Present:

Robbie Cornett, General Manager
Kimberly Harold, Controller
Amanda Paukovitz, Administrative Assistant
April Helbert, Staff Engineer

Consultants Present:

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

Also Present:

Mr. Mark Lawson, General Counsel
WCSA Employees

3. Approval of the Agenda

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

4. Public Hearing Regarding Exit 13 Wastewater Collection System Project Condemnations

The Public Hearing began at 7:02 PM. Mr. Lawson made a presentation on the tract WCSA needs a resolution on (Shari Hammond and Bobby Stacy Property), as we have not heard from the landowner(s) and time is of the essence. An offer has been made, and it has not been countered. Mr. Lawson referenced

the proposed resolution, indicated by a green tab at the Board's stations, which he recommended the Board consider. WCSA already has resolutions on the remaining necessary properties; their resolutions were nearly identical to the one up for consideration, apart from the tax parcel ID number.

There were no members of the public present to speak in favor or in opposition to the matter of the resolution for condemnation.

The Public Hearing closed at 7:05 PM. Mr. Taylor made a motion to approve the resolution as presented (see attached). Mr. Taylor's motion was seconded by Mr. Stephon and was approved by a 7-0-0-0 vote of the Board.

5. Public Hearing [Regarding] BVUA to WCSA Water System Switchover Project Condemnations

The Public Hearing began at 7:06 PM. Mr. Lawson provided background regarding the project and made a presentation, explaining that the hearing involves multiple parcels, belonging to: William & Elizabeth Desmone, William & Joyce Bowman, Eric & Jennifer Johnson, Lawrence & Ruby Price, Burt & Vera Cook and Kevin & Christine Fleenor (two parcels; Note: there was another parcel involved, but the residents have already provided an easement). He referenced mapping, which indicated the location of the parcels. WCSA still needs easements for these properties, along with a railroad grade (belonging to SWRR Properties, Inc.), which he discussed in more detail. This is the extent of the easements that are going to be required in order to do the work on the BVUA WCSA Switchover Project. Some of these parcel owners have water service from BVUA, while others have

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no water service at all. The names in the proposed resolution are the ones who potentially would need to be condemned. Mr. Lawson added that he spoke with a representative from VDOT today, and we will proceed by way of their permit. He confirmed the abovementioned properties are the extent of which with outstanding easements needed in order for the project to come to fruition. William Bowman of Wallace Pike and Eric Johnson of 21334 Terrace Drive approached the Board. Neither resident is necessarily for or against the project. However, both gentlemen, representing their families, provided details regarding their properties and concerns/unanswered questions pertaining to specifics of the project. Both would like to meet with The Lane Group, have answers to their questions in writing and would like to see BVUA and WCSA come to an agreement instead of building this project. Mr. Johnson confirmed that a member of WCSA had tried calling him and left a voicemail on his phone yesterday, which he has not yet had a chance to call back. He wanted to come to the meeting and speak with the Board. Mr. Bowman affirmed he had not yet been contacted by WCSA, and he feels condemnation of his land would be unfair until someone meets with them. Mr. Johnson would like to see more specifics of the contract.

The Public Hearing closed at 7:16 PM. Mr. Lawson explained that even if the resolution passes, it does not necessarily mean WCSA will get to the point of condemnation. WCSA would just have the authority to do so, if necessary. Mr. Lawson reminded that Board that the fact is the contract between WCSA and BVUA expires in February 2013, as confirmed by Mr. Cornett, so we have to

“have our ducks in a row to move if need be.”

Mr. Bowman inquired if there is any way BVUA and WCSA could come to an agreement; Mr. Lawson affirmed he does not know the answer to that question. Discussion erupted amongst the Board. Mr. Taylor inquired of details regarding the system in this area to date. Mr. Bowman explained and Mr. Cornett affirmed that there are a number of master meters (between the City and the County) where BVU sells water to WCSA. Mr. Cornett noted that our contract will end February 6, 2013. The Board is well aware of the efforts in recent years to negotiate an equitable contract, which have not been fruitful. In response, before February 6, 2013, WCSA has to make the necessary arrangements to have our customers off the BVUA system, which means we have to run water lines from our existing contiguous system to those areas in order to provide service.

Mr. Taylor expressed a desire to see things worked out with these residents. Mr. Lawson and Mr. Cornett affirmed that desire as well. Mr. Cornett explained that we would have taken more time to pursue this matter. However, the project cannot be advertised for bid without the Board taking this action. Considering the timeline, WCSA must proceed with advertisement this week. Mr. Cornett expressed WCSA will certainly be in contact with Mr. Johnson and Mr. Bowman to reach an agreement. Mr. Lawson reiterated that even if the resolution passes, it does not necessarily mean WCSA will get to the point of condemnation. WCSA would just have the authority to do so, if necessary. They have already reached agreement with

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other landowners.

Mr. Bowman noted that he is not trying to be unreasonable. He would hate to see the County spend that kind of money if unnecessary.

Discussion erupted amongst the Board, WCSA Staff and the residents present. Mr. Chase expressed the Board's appreciation for Mr. Bowman and Mr. Johnson attending the meeting.

Mr. Stephon made the motion to approve the resolution as presented (see attached). Mr. Stephon's motion was seconded by Mr. Hutchinson and was approved by a Board vote of 6-1-0-0 [1: Mr. Miller opposed].

6. Public Query & Comment

*Richard Smith, 24096 Walden Road,
Abingdon, VA 24210*

Mr. Smith, who has been a customer for about 15 years, expressed his frustration regarding what seemed to be an algae incident while filling his pool over Memorial Day. He was disappointed by our engineers and he feels there has been an absence of customer service satisfaction. Upon inquiry by Mr. Chase, Mr. Smith affirmed he had filed a written complaint, to which he received no response. Mr. Cornett inquired if Mr. Smith indeed received no response. Mr. Smith expressed he had been dealing with Jenny Manuel [WCSA Customer Service Manager] and was promised a written response, which he never received. He explained a bacteria test was conducted two days after the incident but in his opinion, there should have been a test for algae. As the water had run green, he had taken samples and video footage that WCSA did not want to see. He had spoken with [April Helbert, WCSA Staff Engineer]. His pool [liner] was ruined, costing \$70-80.

He is very angry and would like to see the situation rectified.

The Board and Legal Counsel asked questions regarding the details of the situation, to which Mr. Smith answered. Mr. Cornett agreed to prepare a written report for the Board as soon as possible and will see to it that Mr. Smith receives a written response from WCSA regarding the situation.

7. Approval of the Consent Agenda

- Minutes: July 25 Annual Meeting and July 25 Recessed Meeting (Held on 8/22/11).
- Routine Reports for August 2011.
- Financial Statement for August 2011.
- Check Register and General Manager Financial Report for August 2011.

Mr. Miller made the motion to approve the Consent Agenda. Mr. Miller's motion was seconded by Mr. Coleman and was approved by a 7-0-0-0 vote of the Board.

8. Engineer's Report and Update

Mr. Jay Lester of Draper Aden Associates (DAA) provided the following update:

• Route 58 Water Storage Tank

The project was substantially complete (SC) before the end of last month. The water tank was placed into service on August 29 and has been operating well since that time. The work is essentially complete; there is an inspection tomorrow morning to confirm. There are still a couple items to be accomplished before the project is closed out, the most significant being that we need to resolve some contract price and time issues with Contract 1. They have requested some documentation [from the Contractor] and received it late Friday evening; they are in the process of evaluating that and

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making recommendations to WCSA. Hopefully this time next month, the issue will be resolved so the project can be closed.

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

- Last week, representatives of Rural Development (RD) visited WCSA Project Sites. They were generally pleased with what WCSA is doing and really seemed to enjoy their trip.

- **Drinking Water Treatment Plant Expansion (6.6 MGD to 12 MGD)**

They reached a milestone; the Interim Water Booster Pump Station was placed online and is operating properly. The contractor is working on getting the energy recovery and other buildings underway.

- **Raw Water Intake**

The contractor has reached great elevation on the bottom of our intake excavation. The contractor spent last week with the Safety Engineers so they can begin setting reinforcing steel and pouring concrete.

- **Bristol Area Water Restructuring Project**

The status of this project was discussed earlier; they will proceed accordingly.

- **Exit 13/14 Sewer Project Phase 1**

They have continued to discuss funding options; this will be discussed in a later agenda item.

- **Interim Water Treatment Plant Expansion (4.6 MGD to 6.6 MGD)**

Mr. Lane hoped to be able to report that water is being pumped at a higher rate. The contractor has made a fairly good effort, but there have been some disappointments. They are utilizing the new pumps and are hopeful that the new filters will go online. WCSA is getting

very close to going from 4.6 to 6.6 MGD.

- **Reedy Creek Road Project**

They have had a pre-construction conference and are ready to get to work.

- **Western Washington County Sewer Study**

When RD was here, they were able to meet with representatives of WCSA, Washington County, RD and the Tobacco Commission to discuss a funding strategy; ideas of options for funding were provided.

Mr. Kevin Heath of Adams-Heath (A-H) Engineering reported on the following projects:

- **Whites Mill Road Improvements**

A progress meeting is scheduled for tomorrow. The waterline from the pump station to the tank is in place and as of Friday of last week, the pump station contractor was able to pre-test the pumps and confirm they do work properly. Tomorrow, they hope to come up with a time table to fill the tank, test and place it into service, along with the pump station and those sections of lines between the tank and the pump station. The linework contractor still has somewhere between 8,-9,000' of main line to install. Sometime during the month of September, their allotted construction time will expire. A-H still needs to review with them their rain days, etc. They are hoping to work out a realistic schedule tomorrow and be able to finish numerous customer switchovers on new lines placed into service before the weather changes. Prior to the next Board Meeting, Mr. Heath expects for Contract 2 (Pump Station) and Contract 3 (Water Storage Tank) to be in a position for substantial completion and be placed into service.

- **Green Springs Road Waterline**

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Replacement & Abingdon Storage Tank Study

They have had kickoff meetings with WCSA Staff, have gotten the projects underway and plan to meet again tomorrow. WCSA Staff has been marking existing lines in the Green Springs area; A-H plans to meet with them tomorrow as well.

Mr. Stevie Steele of Anderson & Associates (A&A) reported on the following project:

• **Exit 13 Sewer Project Phases 2 & 3**

They continue to diligently gather information regarding who they can and cannot serve. Areas that were not previously included to be served have now been determined servable. Residents of the project area have been contacting WCSA, inquiring whether or not they will be included for service. A&A has looked at those areas that were not originally included and have had a meeting with WCSA Staff. They want to make sure (before moving on) of the ramifications of servicing one residence on the border, as the rest of the subdivision will want to know if they are eligible. A&A has prepared an amendment to their agreement, which will address some of those issues, revisit the cost estimate (as Phase 1 costs came in much higher than expected) and what could come later; this amendment will be presented in a later agenda item.

9. Water & Wastewater Construction Projects Report and Update

Mrs. Helbert referred to the Engineering Report in the Board Books, printed on purple paper. She provided the following updates:

• **Chestnut Mountain Road**

There had been an issue on WCSA's existing system, of which we were not

aware at the time of the project's design; the issue has been taken care of. Final inspection took place today and the meter should be set later this week.

• **Rich Valley Road/Maiden Creek**

Mrs. Helbert received the last round of BacT results this morning. In result, SC will be issued tomorrow with today's date. The project went 29 days over their scheduled time. In result, WCSA has received and will be reviewing a second letter from the contractor requesting additional days.

10. General Manager's Report & Update

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

Water Production

- Produced more than 216 million gallons of drinking water, which is an all-time high for WCSA.
- Cleaned the Middle Fork Drinking Water Plant Raw Intake with the Maintenance Department's assistance during August.

Distribution

- Coordinated the outside purchase of little more than 22 million gallons of drinking water.
- In total, about 7.709 million gallons per day (MGD) of drinking water was distributed to customers.

Meter Department

- 175 customers were telephoned following unusually high usage.
- 5 meters were lifted for non-payment.

Customer Service

- Little over \$10,000 was abated for water leaks on approximately 65 customer accounts.
- More than \$6,000 was written off as bad debt more than three years old.
- 8 water taps were applied for.

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- Managed 237 reconnections/transfer of service requests in the last month.
- Late charges were added to 4,358 accounts.
- 1,141 disconnect notices were processed, resulting in 5 disconnects for non-payment.

Maintenance

- Was a busy month for Maintenance.
- Repaired 52 leaks and 12 breaks.
- Constructed 11 water taps and 1 wastewater tap.
- Responded to 77 after hour call-outs.
- Spent a great amount of time repairing leaks on waterline stub outs behind the WCSA Administrative Office for the Route 58 Tank Project. There have been leaking bins during August and the preceding months.
- Assisted Galvanized Line contractors with making numerous mainline taps (8) and ongoing prospecting to terminate the old water lines.
- Assisted in resolving a line size issue on the Chestnut Mountain Road Project.

Wastewater

- Treated little more than 9.4 million gallons of wastewater in the last month.

Administrative Items

- August resulted in no changes to the nonresidential connection fees that are *pending* or *paid* for in our water systems for the current fiscal year.
- Attended Lowry Hills' homeowners meeting on August 18 to discuss Galvanized Line.
- Attended a Board of Supervisors Meeting on August 23 to answer any questions the Board of Supervisors had related to the Regional Water Supply Plan (a plan required by DEQ).
- Attended an Infrastructure Forum in Roanoke, Virginia on August 24 with Mr. Taylor and other folks from Central and Southwest Virginia, along with Congressmen to discuss infrastructure needs in Central and Southwestern Virginia.
- Scheduled to present WCSA's Biannual

CIP (as recently presented by Karen Barger) to the Board of Supervisors tomorrow evening. If there are no objections, Mr. Cornett would like to provide the WCSA cost per connection figures as well.

- Mr. Cornett added that the three proposals for Strategic Planning are ready for review by Mr. Chase and Mr. Taylor, who have volunteered to serve on the Strategic Planning Procurement Committee. He provided details of this packet located at their stations.

11. Consideration of an Engineering Task Order Between WCSA and The Lane Group for the Mid-Mountain (Zone 108) Study

Mrs. Helbert distributed an updated Task Order for the Board's consideration.

Mr. Lane explained that the Mid Mountain Tank was constructed in the mid 1990s and the areas served by the tank have grown significantly; they believe the area will grow substantially. Three customers of the area in particular, Johnson Memorial Hospital, the Southwest Virginia Regional Jail and the Harmony Hills Adult Care Facility, cannot do without water. In the case of a water outage, they would be required to evacuate. As this is an extremely extensive area of the water system, WCSA has asked that TLG study the project area and develop a PER (which would look at hydraulic issues, need for additional storage, pump stations, interconnections between system zones, etc.). The PER would provide alternatives, cost estimates for each and recommend likely sources of funding. TLG proposed an hourly, not to exceed, task order (TO) for that work, with the report being finalized in November of this year.

Mrs. Helbert did not have much to add. She noted the minor differences between

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the TO that was distributed to the Board and the TO in the Board Books, such as the addition of Section 2B, which addresses areas with apparent low pressure. She added that WCSA feels this is an extremely important study to be done. Mr. Lane and Mrs. Helbert offered to answer the Board's questions. Mr. Taylor inquired if we are looking at a bigger tank/storage facility. Mr. Lane affirmed that will probably be one alternative; they will look at different options, including interconnections with other pressure zones. They want to look at the whole system, complete some hydraulic work and respond accordingly. Mr. Chase inquired if the cost for the whole study is \$15,000. Mr. Lane affirmed that as the estimated, not to exceed, cost for the study.

Mr. Taylor feels WCSA needs to look beyond the three discussed issues, as he believes the area between [Interstate 81] Exits 19 and 22 will be just like Exit 7 in the next five to ten years. He believes we need to look at the big picture and not shortcut the future.

Mr. Stout inquired if the [Route 58] Tank was going to be a big help. Mr. Cornett affirmed this; "it already has been".

Mr. Taylor made the motion to approve the task order as presented (see attached). Mr. Taylor's motion was seconded by Mr. Stout and was approved by a Board vote of 7-0-0-0.

12. Consideration of Exit 13 and 14 Wastewater System Projects Funding Alternatives and Implications

Mr. Cornett noted he does not have a resolution for the Board's consideration tonight. He wanted to assure the Board of the WCSA Staff and TLG's work. Mr. Cornett summarized the information

regarding the Exit 13 and 14 Project funding shortfall and explained WCSA's options. He noted we have made application to USDA RD, who will not know for sure until they hear from their central office. However, WCSA had been very encouraged by RD and are hopeful to receive conditional funding. The project that is not only important to gather flow from Phase 1, but also Phases 2, 3 and 4, is the Exit 14 Project. Mr. Cornett has a conference call coming up soon with DEQ. Between him and Mr. Lane, this will be Mr. Cornett's third or fourth conference call with DEQ. It seems favorable that they will allow some funds that were originally allocated for Lowry Hills to be used on the Exit 14 Project. If we do not use that money, the funds will be deobligated, causing our inability to move forward with Lowry Hills. Mr. Cornett explained that in a sense, WCSA could be able to take advantage of some funding that is in place and possibly utilize it on a project that is ready to advertise for bids, proceed to construction and not lose funding that has already been allocated. He is not in a position tonight to present a resolution for consideration. The resolution that was passed last month was to move forward with Exit 13 Phase 1, pending additional suitable funding. If the Board has any questions, concerns or reservations about either of the abovementioned funding alternatives (which were identified under Tab 12 of the Board Books), Mr. Cornett affirmed that Staff would be happy to pursue other routes.

Mr. Chase explained that two or three residents have inquired with him when construction will begin. Mr. Cornett noted that the bids are good until October 21; their goal is to be able to

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award the project without having to rebid. He feels they received good bids, good competition and the bids were close. They hope to find out from RD (possibly later this week) regarding suitable additional funding. If that is awarded, they can move forward with the project. Right now, we would be looking at a construction start date of the first of the year. Contractors will need to get their insurance certificates, bonds, etc. in order and hold a pre-construction conference before being able to start their work. Unless Mr. Lane has anything to add, Mr. Cornett believes we would be looking at a start date around January 1 [2012].

13. Consideration of Amendment #1 to the Engineering Agreement Between WCSA and Anderson & Associates for the Exit 13 Wastewater Collection Project Phases 2 and 3

Mr. Steele noted that this amendment comes on the heels of some investigation and inquiries regarding residents adjacent to the original project area(s). Mapping that was provided is specific of the areas for consideration. He feels we need to be able to answer any and all questions via investigation. Through this amendment, A&A will be able to investigate costs associated with these areas, answer questions, revisit original costs, and reevaluate to get a better idea of where we are financially. Mr. Steele wants to make sure costs on Phases 2 & 3 are as accurate as possible so they can move forward with funding; "that is an enormous issue". The amendment will allow A&A to go back to the original numbers in the PER and update them with all associated costs.

Mr. Steele offered to answer any questions the Board may have.

Mr. Chase noted that the cost of this amendment is \$8,960; Mr. Cornett affirmed this.

Upon inquiry from Mr. Miller, Mr. Cornett explained that he expects two or three things to happen with this reevaluation. Phase 2 may need to be further subdivided into additional phases. He noted that if we can do a portion of Phase 2 with the existing funding, it may make more sense. In regards to the policy the Board recently passed regarding the percentage of people providing user agreements and the cost per connection requirements, we will be able to update the cost per connection for the area and any possible subdivided areas as well. Mr. Cornett affirmed that we plan to look at and consider all alternatives.

Mr. Hutchinson inquired how many residences will be affected in Phase 2; Mr. Steele believes the number is 244. Mr. Hutchinson also asked how many would be affected within Lowry Hills; Mr. Cornett affirmed the number at 255. Mr. Steele feels this is a good opportunity because the areas they are talking about adding are very compact and densely populated; he reiterated that the best cost per connection comes from densely populated areas.

Mr. Stephon made the motion to approve Amendment #1 (see attached). Mr. Stephon's motion was seconded by Mr. Miller and was approved by a 7-0-0 vote of the Board.

14. Consideration of Amendment #5 [Erroneously Referred to as #4] to the WCSA DAA Engineering Services Contract for the Route 58 Water Storage Tank Project

Mr. Lester explained that as the Board is aware, the Route 58 Tank Project has

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faced delays, which have made the construction phase last much longer than anticipated. Three months ago, he presented an amendment to the Board for extension of the construction phase services until August 16. As August 16 has passed, Mr. Lester comes tonight to seek an additional extension, spanning about two and a half months. DAA is hopeful and confident that completion can be accomplished during this time period.

Mr. Chase noted that the cost of this amendment is \$8,875; Mr. Lester affirmed this.

Mr. Chase inquired if this amendment seems appropriate. Mr. Cornett affirmed that DAA has been working since August under the assumption that this amendment would be approved; Mr. Lester being the Engineer of Record and DAA being the firm providing the services to WCSA. Mr. Cornett feels this amendment is very much appropriate in order to complete the project.

Mr. Hutchinson made the motion to approve Amendment #5 (see attached). Mr. Hutchinson's motion was seconded by Mr. Stout and was approved by a 6-0-0-1 vote of the Board [1: Mr. Taylor abstained, due to conflict of interest].

15. Consideration of a Presentation Regarding WCSA Rates and Fees

Mr. Cornett referenced a presentation at the Board's stations. In light of time constraints, he proposes the Board review it, along with the notes associated with the slides. Mr. Cornett thought it would be appropriate to give the Board an opportunity to review the presentation on their own time. This is the presentation that Mr. Reeter, County Administrator for Washington County, asked about last December in order to

facilitate discussion between a couple WCSA Board Members and the Economic Development Committee (EDC; comprised of two Board of Supervisor Members and two Industrial Development Authority Members). Mr. Cornett provided Mr. Reeter a draft copy of the presentation in the spring; Mr. Reeter provided some suggestions to the presentation, addressing additional topics and issues. Mr. Cornett has incorporated those items and is ready to meet with the EDC. He thought it would be appropriate to give the Board time to take the presentation home, review it and address questions at their leisure. Mr. Cornett asked that the Board consider two volunteers to attend a meeting with Mr. Cornett, Mr. Reeter and the EDC. Upon inquiry, Mr. Cornett confirmed a date has not yet been set, as he wanted to acquire two volunteers first and then coordinate with Mr. Reeter. Mr. Miller and Mr. Chase volunteered to serve in this capacity. Mr. Cornett affirmed he will wait a week before scheduling with Mr. Reeter, allowing the Board opportunity to review and ask questions regarding the presentation. Mr. Cornett has the impression they will not be available to meet as a group until the end of next month.

16. Closed Meeting: Acquisition and Disposition of Property, Investment of Public Funds & Legal Advice

Mr. Stephon moved that the Board adjourn to Closed Meeting in accordance with the Virginia Freedom of Information Act, Code of Virginia § 2.2-3711 Paragraph (A) (3): Acquisition and Disposition of Property, 2. To Discuss and Consider the Acquisition of Real Property, Code of Virginia § 2.2-3711 Paragraph (A) (6): Investment of Public

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Funds, 3. To Discuss Various Inter-municipal and Other Agreements, Code of Virginia § 2.2-3711 Paragraph (A) (7): Legal Advice, 4. To Discuss Potential Litigation, 5. To Discuss Various Inter-municipal and Other Agreements, 6. 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, are requested.

Mr. Stephon's motion was seconded by Mr. Coleman and was approved by a 7-0-0-0 vote of the Board. The Board adjourned to Closed meeting at 8:16 PM.

Return to Public Session

Upon a motion by Mr. Stephon, a second by Mr. Hutchinson, and a 7-0-0-0 vote of the Commissioners, the Board returned to Public Session at 9:50 PM.

Mr. Stephon read the following:

Certification of Closed Meeting

Whereas, the Washington County Service Authority has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; And whereas, § 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.

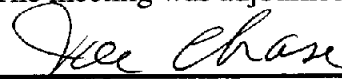
AYE: Mr. Miller, Mr. Hutchinson, Mr. Stephon, Mr. Chase, Mr. Coleman, Mr. Taylor and Mr. Stout.

17. Late Items

There were no Late Items.

18. Adjourn or Recess

Mr. Coleman made the motion to adjourn. Mr. Coleman's motion was seconded by Mr. Stephon and was approved by a 7-0-0-0 vote of the Board. The meeting was adjourned at 9:51 PM.



Mr. Joe Chase, Chairman



Amanda Paukovitz, Assistant Secretary

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

WHEREAS, the area of Washington County, Virginia around Exit 13 and Exit 14 also known as the greater Westwood area (the "project area") is a mature residential neighborhood without public sewer service; and

WHEREAS, more than 40 homes in the project area have experienced failures of their septic systems; and

WHEREAS, residents of the project area have sought to obtain public sewer service for more than twenty years; and

WHEREAS, Washington County Service Authority (WCSA), has developed a plan for providing public sewer service to the project area and has obtained funding commitments for the project; and

WHEREAS, WCSA, having held a public hearing on the matter on September 26, 2011, is of the opinion that a public necessity exists for the project and for obtaining necessary permanent and temporary construction easements in the project area for purposes of installing, operating and maintaining public sewer facilities; and

WHEREAS, many easements have already been obtained by voluntary conveyance from property owners within the project area; and

WHEREAS, further delay in obtaining the remaining easements will unnecessarily delay the project and may jeopardize grant funding;

THEREFORE BE IT RESOLVED, by the Board of Commissioners that:

1. The acquisition of permanent and temporary easements across the property listed below for purposes of installing, operating and maintaining public sewer facilities is hereby declared to be a public necessity, and that the acquisition and use of such easements by WCSA will constitute a public use of the property.
2. WCSA elects to use the procedures set forth in Code of Virginia § 33.1-89, *et seq.*, as made available to WCSA pursuant to Va. Code § 15.2-5114(6).
3. Robbie Cornett, WCSA General Manager, and Elliott Lawson & Minor, P.C., WCSA General Counsel, are hereby authorized and directed to acquire by voluntary acquisition, or if necessary, by condemnation, the necessary easements across the below-listed property as shown on the attached Plan Sheets, in the manner provided by Titles 25.1 and 33.1 of the Code of Virginia.

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

4. No condemnation proceedings shall be commenced until the prerequisites of Va. Code §§ 25.1-204 and 25.1-206 have been met.
5. This Resolution shall take effect this 26th day of September, 2011.
6. Affected parcel and current owners:

Tax Parcel 124A1-4-14

Bobby Stacy and Shari Hammond

WASHINGTON COUNTY SERVICE AUTHORITY

By: Joe Chase
Chairman

Attest:

[Signature]
Secretary

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

WHEREAS, before the effective date of this Resolution, certain areas of Wilson (formerly Goodson) District of Washington County, Virginia, either have had no public water service, or such service has been provided under an agreement between Washington County Service Authority (WCSA) and Bristol Virginia Utilities Authority (BVUA) which provided for public water service through certain meters installed, maintained, and operated by BVUA;

WHEREAS, said agreement expires February 6, 2013, and therefore WCSA must provide potable drinking water to those areas, including parts of Terrace Drive, Nininger Road, and Wagner Road;

WHEREAS, WCSA, having held a public hearing on the matter on September 26, 2011, is of the opinion that a public necessity exists for the project and for obtaining necessary permanent and temporary construction easements in the project area for purposes of installing, operating, and maintaining public water facilities; and

WHEREAS, although necessary easements have been and may be obtained from landowners in the project area, but further delay in obtaining the remaining easements will unnecessarily delay the project;

THEREFORE BE IT RESOLVED, by the Board of Commissioners that:

1. The project shall be known as "BVUA to WCSA Switchover Project".
2. The acquisition of permanent and temporary easements across the property listed below for purposes of installing, operating and maintaining public water facilities is hereby declared to be a public necessity, and that the acquisition and use of such easements by WCSA will constitute a public use of the property.
3. WCSA elects to use the procedures set forth in Code of Virginia § 33.1-89, *et seq.*, as made available to WCSA pursuant to Va. Code § 15.2-5114(6).
4. Robbie Cornett, WCSA General Manager, and Elliott Lawson & Minor, P.C., WCSA General Counsel, are hereby authorized and directed to acquire by voluntary acquisition, or if necessary, by condemnation, the necessary easements across the below-listed property as shown on the attached Plan Sheets, in the manner provided by Titles 25.1 and 33.1 of the Code of Virginia.
5. No condemnation proceedings shall be commenced until the prerequisites of Va. Code §§ 25.1-204 and 25.1-206 have been met.

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

6. This Resolution shall take effect this 26th day of September, 2011.
7. Affected tax parcels:

<u>Tax Parcel Number</u>	<u>Owner (Without Title Search verification)</u>
141-3-5	William and Elizabeth Desmone
141-3-68	William and Joyce Bowman
141-A-16	Eric and Jennifer Johnson
140-A-28	Lawrence and Ruby Price
160A-2-TR1	Burt and Vera Cook
NA (Railroad grade)	SWRR Properties, Inc.
160-A-54, 160-A-54B	Kevin and Christine Fleenor

WASHINGTON COUNTY SERVICE AUTHORITY

By: Joe Chase
Chairman

Attest:

[Signature]
Secretary

This is Task Order No. 0809-11-4, consisting of 3 pages.

Task Order

In accordance with paragraph 1.01 of the Standard Form of Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated January 26, 2009 ("Agreement"), Owner and Engineer agree as follows:

1. Specific Project Data

- A. Title: Mid-Mountain (Zone 108) Water System Improvements – Preliminary Engineering Report (PER)
- B. Description: Since the Mid-Mountain Tank was constructed in the mid 1990's the system(s) served by the tank have grown significantly and it is believed that this area will continue to see substantial growth in the future. Three (3) water customers (JMH, SWVA Regional Jail and the Harmony Hills Adult Care Facility) would be required to evacuate in the event of a water outage. For these reasons, this is an extremely sensitive area of the WCSA water system. Recent line breaks have underscored the importance of ensuring that this area of the system is hydraulically sufficient for current customers as well as future demands. To that end, the WCSA has requested that The Lane Group, Inc. study the project area (Zone 108) and develop a Preliminary Engineering Report (PER) that addresses hydraulic issues, the need for additional storage and pump stations, and interconnections between system zones utilizing control valves. The report will present alternatives, provide cost estimates for each Alternative, and recommend likely sources of funding.

2. Services of Engineer

Services provided for in Exhibit A, Part 1 Basic Services, Paragraph A1.01, Study and Report Phase of the Master Agreement is incorporated by reference. Upon completion of the Report and with the concurrence of both OWNER and ENGINEER, services for Preliminary Design, Final Design, Bidding and Contracting and Construction Phase Services may be added to this Work.

Services of ENGINEER will also include the following:

- A. The PER will evaluate the entire water system Zone 108. A detailed hydraulic analysis will be prepared utilizing WaterCAD software. The hydraulic analysis will be compatible with the system wide analysis prepared as part of the Galvanized Waterline Replacement Project.
- B. The PER will also assess the areas between Meadowview and Glade that witness apparent low pressure due to the water level in the Mid-Mountain Tank approaching 20 feet and recommend solutions to resolve these issues.

TASK ORDER 0809-11-4

Washington County Service Authority (OWNER) and The Lane Group, Inc. (ENGINEER)

Terms and Conditions: Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is September 26, 2011.

OWNER: Washington County Service Authority

ENGINEER: The Lane Group, Inc.

By: _____

By: _____

Name: Robbie Cornett

Name: Bobby R. Lane, PE

Title: General Manager

Title: President

Engineer License or Firm's Certificate No. 0402008114
State of: Virginia

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: _____

Name: _____

Title: _____

Title: _____

Address: _____

Address: _____

E-Mail Address: _____

E-Mail Address: _____

Phone: _____

Phone: _____

Fax: _____

Fax: _____



September 13, 2011

Mr. Robbie Cornett
General Manager
Washington County Service Authority
25122 Regal Drive
Abingdon, VA 24211-7447

Re: Professional Services for User
Agreements – Exit 13 Sewer Phase
2 and Phase 3 - Amendment 1
JN 29011

Dear Mr. Cornett:

This amendment is being submitted to address several issues that have been revealed over the past several weeks. Our initial proposal included services related to assistance with obtaining user agreements within the proposed service area outlined in the Draper Aden Preliminary Engineering Report (PER) dated January 16, 2008.

Our initial evaluation, coupled with input by the WCSA staff has resulted in the request to evaluate additional service areas (see the attached maps) that were not previously included in the PER for Exit 13. In addition, the recent bids that were received for Exit 13 - Phase 1 were significantly higher than the estimates that were presented in the PER. For this reason, we have been requested to update the costs associated with Phases 2 and 3 including the possible additional service areas as shown on the attached maps.

The employee owners of Anderson & Associates, Inc. are pleased to submit this proposal for professional engineering services for your consideration.

A. Scope of Services

Based on our present knowledge of the project, we propose the following services:

1. Evaluate Alignment for Potential Service Areas

1.1 Set Alignments in New Potential Service Areas

Develop alignments within the new potential service areas for Phases 2 and 3 (see attached maps). These alignments will be incorporated into the overall sewer system that is proposed for Exit 13.

1.2 Evaluate Feasibility of Gravity Versus Pumping Systems

Develop data that can be used to evaluate gravity collection versus pump stations and forcemain piping. This task will provide supporting documentation in determining which of these methods are most cost effective while providing an efficient level of service for project.

2. Update Cost Estimates

2.1 Update Cost Estimates - Quantities

The existing cost estimates will be updated to include the additional quantities associated with the new service areas and adjusted alignments for Phases 2 and 3.

2.2 Update Cost Estimates – Unit Pricing

Unit pricing will be updated for the new quantities in order to reflect current and future industry costs. The unit pricing will be generated using actual bid tabulation data from similar projects.

B. Client's Responsibility

The following items are specifically excluded from this contract and will be considered the responsibility of the Client or others designated by the Client. These items may or may not be required for completion of the project and are listed here solely to indicate that they are not included in this contract. Many of these items can be provided by Anderson & Associates, Inc. as additional services at our normal hourly rates or under separate lump sum contract.

1. Additional field visits associated with potential user questions / concerns.
2. Evaluation of additional service areas outside of the area outlined in the attached mapping.
3. Additional cost evaluations for areas outside of the areas outlined in the attached maps.
4. All services not specifically indicated in the scope of services.

C. Terms

We propose to work in accordance with the enclosed "A&AWCSA Terms and Conditions – Professional Services".

D. Schedule

We propose to work in accordance with the attached project schedule. Our schedule reflects our working time only and excludes review time by the client and reviewing authorities. The compensation amount stipulated in this agreement is conditioned on a period of service not exceeding 6 months. Should such period of service be extended, the compensation amount shall be appropriately adjusted only after approval of the WCSA Board of Commissioners.

E. Compensation

Evaluate Alignment for Potential Service Areas

We propose to be compensated on a lump sum basis for Item 1 of the Scope of Services. Our compensation for this work shall be \$5,670.00 with monthly billing based on an estimate of the percent of the total work completed. This amount will not be exceeded without prior authorization of the WCSA Board of Commissioners.

Update Cost Estimates

We propose to be compensated on a lump sum basis for Item 2 of the Scope of Services. Our compensation for this work shall be \$3,290.00 with monthly billing based on an estimate of the percent of the total work completed. This amount will not be exceeded without prior authorization of the WCSA Board of Commissioners.

Item		Cost	Total
1	Evaluate Alignment for Potential Service Areas		
	1.1. Set Alignments in New Potential Service Areas	\$1,990.00	
	1.2 Evaluate Feasibility of Gravity Versus Pumping	\$3,680.00	
	Subtotal		\$5,670.00
2	Update Cost Estimates		
	2.1 Update Cost Estimates - Quantities	\$2,250.00	
	2.2 Update Cost Estimates - Unit Pricing	\$1,040.00	
	Subtotal		\$3,290.00
	Total		\$8,960.00

F. Attachments

The following attachments are included with and shall be deemed part of this Agreement:

1. Standard Terms and Conditions – Professional Services.
2. Mapping
3. Anticipated Project Schedule and Projected Personnel Loading Hours.

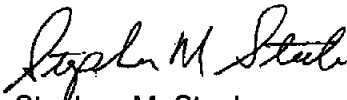
G. Approval

If you find this proposal acceptable, please sign the enclosed copy and return it to us for our records. We will construe the receipt of our copy as our notice to proceed.

Thank you for letting us be of assistance to you on this project.

Sincerely,

ANDERSON & ASSOCIATES, INC.



Stephen M. Steele
Vice President



Paula J. Moore
Project Manager

PJM/jaf

Enclosure

Accepted by:	Contact Information:
_____ Signature	_____ Accounting Contact Name
_____ Printed Name	_____ Billing Address
_____ Title	_____ City, State, ZIP
_____ Date	_____ Phone & Fax

AMENDMENT to

Agreement between Washington County Service Authority (Owner)
and Draper Aden Associates (Engineer), dated March 11, 2010,
for Route 58 Water Storage Facilities

This Amendment, dated September 13, 2011, amends the Agreement as indicated below.

EXHIBIT C – Payments to Engineer for Services

Under Paragraph C.2.06 (Summary of Payments to Engineer), under “Additional Services,” change the amount for Extended Construction Phase Services from \$10,650 to \$19,525, as follows:

h. Extended Construction Phase Services *\$19,525*

These additional services are in accordance with Paragraphs A.2.01.A.16 and A.2.01.A.24 of Exhibit A. The original fee was based on a construction period of 12 months, with an expected completion date of May 17, 2011. The Amendment dated June 6, 2011 extended our construction phase services until August 16, 2011. This Amendment extends our construction phase services until October 31, 2011, based on the estimated time needed for resolution of issues concerning Contract Time and Contract Price. Assuming \$3,550/month, based on the original contract amount for periodic payments divided by the construction duration (\$42,600/12), the estimated increase in fees is \$8,875, assuming the construction phase extends an additional 2.5 months.

The parties hereto have executed this Agreement:

OWNER: Washington County Service Authority

ENGINEER: Draper Aden Associates

By (Signature): 

By (Signature): _____

Typed Name: Robbie Cornett

Typed Name: Richard M. DiSalvo, Jr., P.E.

Title: General Manager

Title: EVP/COO

Date: 27 SEPTEMBER 2011

Date: _____

AGENCY CONCURRENCE:

By : _____

Name: _____

Date: _____