

Washington County Service Authority Board of Commissioners
April 23, 2018 Regular Meeting Minutes

1. Call the Meeting to Order

The Regular Meeting of the Washington County Service Authority Board of Commissioners, held in the E. W. Potts, Jr. Board Room located at 25122 Regal Drive, Abingdon, Virginia, was called to order by the Chairman at 6:10 pm.

2. Roll Call - Chairman

Commissioners Present:

Mr. Mike White, Chairman
Mr. Jim McCall, Vice Chairman
Mr. Wayne Campbell
Mr. Dwain Miller
Mr. Tim Orfield
Mr. Kenneth Taylor

Commissioners Absent:

Mr. Vernon Smith

WCSA Officers Present:

Robbie Cornett; Secretary, General Manager
Melinda Jett; Treasurer, Controller
Carol Ann Shaffer; Assistant Secretary, Administrative Assistant

General Counsel Present:

Thomas Dene, Esq.; Dene & Dene, P.C.

Consultants Present:

Dennis Amos, PE; Hurt & Proffitt, Inc.
Bobby Lane, PE; The Lane Group, Inc.
Kevin Heath, PE; The Lane Group, Inc.

WCSA Staff Present:

Dave Cheek PE; Operations Manager
Ryan Kiser, PE; Engineering Manager
Holly Edwards; Customer Service
Don Cole; Water Production Manager
Ken Perrigan; Meter Manager

3. Prayer and Pledge of Allegiance

Mr. Taylor opened the meeting in prayer and led the Pledge of Allegiance.

4. Approval of the Agenda - Chairman

Mr. Cornett suggested striking Agenda Items 10, 12 and 14 to allow more time for Closed Meeting.

Mr. Taylor motioned to approve the Agenda as suggested. Mr. Miller seconded and the Board approved voting 6-0-0-1.

5. Public Query and Comment - Chairman

Jason Lawson of 4329 Potter Road in Bristol Virginia expressed his concern that the wells on Potter Road were going bad and requested the Board's consideration to offer water service to the residents of Potter Road. Mr. Kiser will talk with Mr. Lawson about the feasibility of the project.

6. Approval of the Consent Agenda

A. Approval of Minutes: None

B. Routine Reports: March 2018

- Water Production
- Water Distribution
- Meter Department
- Wastewater Operations
- Customer Service
- Maintenance
- Engineering
- Accounting
- Health & Safety Report

C. Financial Reports: March 2018

- Balance Sheet
- Income Statement
- Check Register / General Manager Financial Statement (*Except for Checks 040341 and 040347*)

D. Consideration of Sick and Vacation Leave Advancement Program - *Robbie Cornett*

E. Consideration of Amendment No. 1 to the Engineering Agreement Between WCSA and Hurt & Proffitt for Exit 13 Phase 3 Sewer Project - *Dennis Amos*

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F. Consideration of Amendment # 4 to the WCSA/Town of Chilhowie Engineering Agreement With The Lane Group for the Mill Creek Regional Water Treatment Plant Upgrade and Improvements Project - *The Lane Group*

G. Consideration of Purchase of Trucks for Middle Fork Water Treatment Plant and Distribution Departments - *Melinda Jett*

After discussing Agenda Item 6D, Mr. McCall motioned to approve the Consent Agenda. Mr. Campbell seconded and the motion carried with a unanimous vote.

7. Consideration of Check Numbers 040341 to Food City – *Chairman*

As Mr. Orfield is an employee of Mid-Mountain Foods Inc., he abstained from discussions or voting on this agenda item.

Mr. Miller made a motion to approve the above listed checks, Mr. Campbell seconded and the Board approved voting 5-0-1-1.

8. Consideration of Check Number 040347 to King General Contractors – *Chairman*

Mr. McCall abstained from discussion or voting on Item 8 as he is an employee of King General Contractors.

Mr. Taylor motioned to approve check number 040347. Mr. Campbell seconded and the Board approved with a 5-0-1-1 vote.

9. Legal Counsel Report and Update – *Thomas Dene*

Mr. Dene had nothing to report.

10. General Manager's Report and Update – *Robbie Cornett*

This item was stricken from the Agenda.

11. Water and Wastewater Construction Projects Update – *Ryan Kiser*

Mr. Kiser reviewed the attached presentation.

During his review, Mr. Kiser asked the Boards permission to advertise the Rich Valley Project pending VDH approval.

Mr. Miller made a motion to approve the advertisement of the Rich Valley Project pending VDH Approval. Mr. Campbell seconded and the Board approved voting 6-0-0-1.

12. Operations Manager's Report and Update – *Dave Cheek*

This item was stricken from the Agenda.

**13. Engineer's Report & Update
The Lane Group – *Bobby Lane***

- Water Intake Permit Modification for South Fork and Middle Fork Intakes
- Galvanized Line Replacement Project - Phase III
- Hall Creek Wastewater Treatment Plant – Local Limits
- Mill Creek Water System Improvements

The Lane Group – *Kevin Heath*

- Abingdon Tank Improvements Project
- Lee Highway Corridor Sewer Project Phase 1 – Study
- Route 58 Water Supply Improvements Project

Hurt & Proffitt – *Dennis Amos*

- Exit 13 Phase 3 Sewer Design

14. Financial Statement and Cash Reserves Review – *Melinda Jett*

This Item was stricken from the Agenda.

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15. Consideration of Minimum Water Pressure Requirements – Dave Cheek

After discussion of the various standards, no action was taken by the Board. Staff agreed to perform additional pressure logging on Nicholas Street in Abingdon and report back.

16. Closed Meeting – 7:10 pm

Mr. Campbell moved that the Board of Commissioners of the WCSA 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 the performance and disciplining of specific public employees of the Washington County Service Authority.

Code of Virginia Section 2.2-3711 Paragraph (A) (7); Actual Litigation

2. Consultation with legal counsel and briefings by staff members pertaining to actual litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of WCSA, specifically involving the case of Washington County Service Authority vs. Bundy, currently pending in the Circuit Court of Washington County, Virginia.

Code of Virginia Section 2.2-3711 Paragraph (A) (29): Contracts

3. To discuss the award of a public contract involving the expenditure of public funds, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Washington County Service Authority, specifically involving the terms, scope and

possible extension of a contract for cell tower marketing.

Code of Virginia Section 2.2-3711 Paragraph (A) (19): Public Safety

4. To discuss plans related to the security of any governmental facility, building or structure, and the safety of persons using such facility, building or structure.

Code of Virginia Section 2.2-3711 Paragraph (A) (3): Acquisition of Real Property

5. Discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically involving the possible acquisition of a well site for the Hidden Valley Project and a pump station for the Sugar Cove Road Project.

Code of Virginia Section 2.2-3711 Paragraph (A) (3): Disposition of Real Property

6. Discussion or consultation of the disposition of publically held real property, where discussion in and open meeting would adversely affect the bargaining position or negotiation strategy of the public body, specifically involving the possible sale of surplus real property held by WCSA.

Code of Virginia Section 2.2-3711 Paragraph (A) (8): Consultation with Counsel

7. Consultation with legal counsel retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically involving possible amendment of the wastewater service area agreement between WCSA < the Board of

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Supervisors, and the Town of Abingdon.

In addition to the Board the presence of Thomas Dene, WCSA General Counsel, and Robbie Cornett, WCSA General Manager, were requested.

Mr. Taylor seconded the Motion of Closed Meeting and the motion carried with a 6-0-0-1 Board vote.

Mr. McCall left Closed Meeting at 9:25 pm and took no part in consideration of Item 6 listed in the motion calling for Closed Session.

17. Return to Public Meeting – 9:40 pm

Mr. Campbell moved that the Board return to Open Session. Mr. McCall seconded and the motion carried with a 6-0-0-1 vote.

Mr. Campbell then read the following Certification of Closed Meeting;

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

And Whereas, Section 2.2-3712 Paragraph D of the Code of Virginia requires a certification by this Authority that such Closed Meeting was conducted in conformity with Virginia law;

And Now, therefore, be it resolved that the Committee of Board of Commissioners of the Washington County Service 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 Board.

Aye by Mr. Miller, Mr. Campbell, Mr. Taylor, Mr. White, Mr. McCall and Mr. Orfield confirming no outside discussion took place other than Closed Meeting topics.

18. Late Items

Mr. McCall moved that the General Manager be authorized to purchase 3,600 square feet of the lands of Mr. Dwayne A. Ball, which lands are described in a deed of record in the Clerk's Office or the Circuit Court of Washington County, Virginia as Instrument Number 130005472, for \$1,700, upon such terms and conditions as the General Manager may deem advisable. Mr. Campbell seconded and the Board unanimously approved voting 6-0-0-1.

Mr. Taylor made a motion to approve the Amendment to the Wastewater Service Agreement among the Town of Abingdon, Washington County Service Authority and Washington County, Virginia subject to and conditioned upon such Amendment being approved by the Board of Supervisors of Washington County. Mr. Orfield seconded and the Board approved with a 6-0-0-1 vote.

Mr. Miller moved that the General Manager be authorized to expend \$2,000 to acquire an option to purchase 1.0 acre of the lands of Ms. Jeanean M. Dillard for \$20,000, which lands are described in deed of record in the Clerk's Office of the Circuit Court of Washington County, Virginia in Deed Book 910, Page 17, upon such terms and conditions as the General Manager may deem advisable. Mr. Taylor seconded and the Board approved voting 6-0-0-1.

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**19. Recess to May 21, 2018 at 4:00 PM
for a 2018-2019 Fiscal Year Budget
Workshop – 9:45 pm - *Chairman***

Mr. Taylor made a motion to recess, Mr. Campbell seconded and the Board approved voting 6-0-0-1.

Mr. Mike White, Chairman

Carol Ann Shaffer, Assistant Secretary

DRAFT SUBJECT TO BOARD APPROVAL