

**Stafford County Utilities Commission**  
**Meeting Minutes**  
October 14, 2014

**I. Call to order**

Chairman Bill Tignor called to order the regular meeting of the Utilities Commission at the George L. Gordon, Jr. Government Center on October 14, 2014 in the Board Chambers.

**II. Roll call**

The following persons were present: Joyce Arndt, Jeffrey Dunn, Alan Glazman, John Harris, DaBora Lovitt, and Bill Tignor. Mike Smith, Janet Spencer, Dale Allen, Hope Bullard, and Cheryl Giles were present for the Utilities Department.

**III. Public Presentations**

There were no public presentations.

**IV. Public Hearing for New Pump and Haul Policy**

Mr. Smith provided a background report about the history of the subsidized pump and haul program and about the proposed changes to the policy.

Following the report, commission members asked the following questions:

- Mr. Tignor asked how many subsidized customers currently have a contract. Mr. Smith responded there are 22 subsidized customers who have a contract.
- Ms. Lovitt asked if homeowners have an option to rescind the contract. Mr. Smith responded they have that option as long as there is another means of waste removal available.
- Mr. Dunn inquired about the procedures for when a homeowner transfers a contract to a new homeowner.
- Mr. Glazman asked how many non-subsidized customers we currently have. Mr. Allen responded we currently have 29 non-subsidized customers.

Mr. Tignor opened the public hearing for comments from the public. The following residents made comments.

Bob Butler of 73 Chapel Heights Road  
Darrel and Paula Burns of 111 Autumn Drive  
Patrick and Ivy Walsh of 46 Greenleaf Terrace

Tracy Schlaud of 9 Rosehaven Street  
Ray Barnett of 1006 White Oak Rd

Following the public comments, Mr. Tignor closed the public hearing.

Discussion ensued about the cost to customers and the proposed changes to the policy.

Following the discussion, Mr. Harris made a motion to forward the matter to the pump and haul sub-committee for further consideration of the following actions: review the findings of the public hearing, review with staff the current homeowner's status, and report the recommendations to the commission. Mr. Glazman seconded the motion and it passed with a 5-1 vote. Mr. Tignor opposed the vote.

**V. Approval of Minutes**

The September 9, 2014 minutes were approved as written.

**VI. Commission Members' Comments**

Commission members had no comments.

**VII. Director's Report**

Mr. Smith reported at the August 12<sup>th</sup> Commission meeting, members recommended approval of the Truslow Road Neighborhood Sewer Extension project for an estimated cost of \$100,000. There were a few items that were inadvertently left out of the estimated costs and the projected estimated cost is \$200,000. The item is scheduled to be on the October 21<sup>st</sup> Board of Supervisors (BOS) agenda.

The BOS will hold only one meeting in November and December due to Election Day and the holidays. The November meeting will be held on Thursday, November 13<sup>th</sup> and the December meeting will be held on Tuesday, December 16<sup>th</sup>.

Due to the Veteran's Day holiday on November 11<sup>th</sup>, staff recommends changing the Commission meeting to November 18<sup>th</sup>.

**VIII. Unfinished Business**

**Lake Mooney Project Financial Overview**

Ms. Bullard reported the total spent to date on the project is \$138,228,190. Additional expenditures of \$640,000 are expected to be spent for construction management services for the water treatment facility. The total projected cost is expected to not exceed \$139,754,174.

**IX. New Business**

**Proposed Change in Utilities Commission By-Laws**

Ms. Tignor reported the sub-committee met to review the Utilities Commission By-Laws with regards to attendance at meetings. The County Attorney's office stated that changes to the By-Laws can be determined by the commission and does not require the County Attorney's or Board's approval. The sub-committee recommended the following proposed changes:

Section 1-1 Purpose

**ADD** The Commission shall review the policies and requests of the Utilities Department for recommendation to the Board of Supervisors.

Section 1-2 Basic Principles Underlying the Bylaws

**ADD**

E. Commission Members are expected to attend monthly meetings and participate

F. Attendance of Commission Members should be recorded in the minutes of each meeting.

The minutes shall be forwarded to the Board of Supervisors.

- 1) Any Commission member missing three consecutive meetings may be recommended to the Board of Supervisors for removal.

Mr. Dunn asked how many meetings have there been when a quorum was not met. Mr. Tignor responded there have been none this year, but last year there were a couple of meetings when a quorum was not met.

Mr. Harris commented it's in the best interest of the county to have representation from each district.

Mr. Glazman made a motion to recommend approval of the proposed changes to the Utilities Commission By-Laws. The motion was seconded by Mr. Dunn and passed with a 6-0 vote.

**X. Amend and Reordain Stafford County Code Chapter 25-27 and Chapter 25-28**

Mr. Smith reported staff proposes changes to Chapter 25 of the County Code. The proposed changes are to the Water Availability Charges, the Wastewater Disposal Availability Charges, and to the Prohibitive Discharge Standards.

The first change is to allow refunds for paid availabilities that have not been utilized. The County charges an availability fee to connect to the water and sewer system. Water and sewer was sold to some existing residents who could not connect to public water and sewer due to extenuating circumstances. The County Code does not permit refunds of availability fees for a decrease in demand. In 2001, the Board approved resolution R01-302, which allows for the repurchase of water and sewer availability contracts. The County Attorney determined that the County Code takes precedence over R01-302; therefore, we are unable to repurchase availabilities. Staff recommends amendments to the County Code to refund these contracts.

The second change is part of the prohibitive discharge industrial pre-treatment program. The current prohibitions list is a ban on discharges with a pH below 5.0 or above 9.0 units. The state code has changed and only prohibits a pH below 5.0 and does not have a limit on higher values. Staff recommends amending the County Code to not allow a pH below 5.0 but not state a higher value.

Mr. Harris made a motion to recommend a public hearing be held to amend Stafford County Code 25-27 and Chapter 25-28. The motion was seconded by Ms. Lovitt and passed with a 6-0 vote.

**XI. Contract Amendment for Construction Management Services for the Lake Mooney WTF**

Mr. Smith reported a contract amendment is needed to perform construction management services for the Lake Mooney WTF. The construction of the facility was projected to be completed by January of this year. Due to time delays and complications, CH2MHill has provided an estimate for additional services during construction and for post construction costs. The cost for additional construction services is \$303,154. The additional post construction services includes development of an Operation and Maintenance Manual, operational start-up support, as-built record drawings, membrane filtration monitoring, and a warranty service period. The cost for post construction services is \$228,940. The fees do not include a cost for detailed investigation or analysis of contractor claims and disputes, or the dispute resolution. The total estimated cost for additional services is \$532,094.

Staff has reviewed the proposal from CH2MHill, based on a new estimated completion date of November 31, 2014 for Substantial Completion and February 28, 2015 for Final Completion, and has determined that the amount is reasonable for the services proposed.

Mr. Dunn asked why the contractor is behind schedule. Mr. Smith responded the contractor is behind schedule for a variety of reasons. Liquidated damages as well as additional costs will be assessed to the contractor. The assessment of the damages began in February 2014 and has been assessed at over \$600,000.

Mr. Dunn made a motion to recommend approval of R14-245 which authorizes a contract amendment for construction management services for the Lake Mooney WTF. The motion was seconded by Ms. Arndt and passed with a 6-0 vote.

**XII. Consider Residential Pump and Haul at 1209 Mountain View Road**

Mr. Allen reported the parcel is a developed property that has a single-family house, barn, shed, detached garage, and a large pond located on it. The remaining area of the property is marshy as a result of the stream that runs through the property. In 2004, the property was considered for pump and haul. The health department has determined that a direct discharge to Potomac Creek is feasible; however, staff is concerned about a possible discharge to the Abel Lake reservoir. Staff recommends approval of subsidized pump and haul for this property.

Discussion ensued.

Mr. Harris made a motion to recommend approval of R14-256. The motion was seconded by Mr. Dunn and passed with a 5-1 vote. Mr. Glazman abstained from voting.

**XIII. Adjournment**

Mr. Glazman requested that action item materials be sent out a few days earlier so that more time is available to review the material.

Mr. Harris suggested the Commission appoint a nomination committee at the November meeting to consider the year-end election.

There being no further business, Mr. Tignor adjourned the meeting at 9:16PM.

Minutes submitted by:

***DaBora Lovitt***

DaBora Lovitt

Recording Secretary