

Stafford County Utilities Commission
Meeting Minutes
October 13, 2015

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 13, 2015 in the ABC Conference Room.

II. Roll call

Members Present: Joyce Arndt, Alan Glazman, John Harris, DaBora Lovitt, and Bill Tignor
Members Absent: Jeffrey Dunn, and Gordon Howard
Staff Present: Mike Smith, Dale Allen, Janet Spencer, Hope Bullard, and Cheryl Giles

III. Public Presentations

There were no public presentations

IV. Approval of Minutes

The September 8, 2015 minutes were approved as written.

V. Commission Members' Comments

Ms. Arndt commented that she received an e-mail from a citizen requesting information about de-regulating internet service providers. Mr. Smith asked Ms. Arndt to forward the e-mail to him and stated that since the issue is outside of the Commission's jurisdiction, he would forward the request to the County's Telecommunications Commission.

VI. Director's Report

Mr. Smith reported that Bryon Counsell was promoted to Capital Improvement Program (CIP) Manager to better coordinate the program and to keep the CIP projects moving forward.

VII. New Business

Amend Water and Sewer Design and Construction Standards Approval List

Mr. Allen reported the Utilities department publishes Water and Sewer Design and Construction Standards. These standards are necessary for approval of the county's local review authority given to us by the Health Department for water and the Department of Environmental Quality for sewer. A key component of the standards is Chapter 6, which contains an Approved Products List, procedures for approval of products, and a description of the Product Design and Review Committee. The current Water and Sewer Standards incorporate the entire list within Chapter 6. The list is frequently updated because products are frequently added to the list or dropped due to poor performance, discontinued availability, and product name changes. Staff and the Product Design and Review Committee would like to separate the Approved Products List from the standards and to publish it as a stand-alone document on the county web site. This will allow the list to be updated immediately after committee action. Printed copies would also be available. Mr. Allen then highlighted the changes in the two documents.

Mr. Glazman asked if staff knew how other localities handle their standards. Mr. Smith responded that Fairfax County handles their standards in the same way and staff patterned it after their system.

Mr. Glazman made a motion to recommend amending the Water and Sewer Design and Construction Standards. The motion was seconded by Mr. Harris and passed with a 5-0 vote.

Public Hearing to Consider Condemnation and Quick-Take Powers of Easements for the Sanford Drive to Olde Forge Drive Water Line Project

Mr. Smith reported this project is for an extension of a 30" water line from the Lake Mooney Water Treatment Facility across I-95 to get water to the southeastern part of the county. The preliminary design of this project showed the water line crossing through Rappahannock Landing Section 1; therefore, the developer dedicated an easement through Section 1 as a part of the development approval process. As design efforts continued, and after the development of Section 1, an alternate path for the water line was deemed to be more desirable, both for the developer and the County. The proposed alignment was more efficient and the developer had placed fencing, landscaping, and other infrastructure, in the existing easement.

The design was completed and bid for construction, with the understanding that the developer would provide the easements required. However, the developer has not followed through on the dedication of the easements. Staff and its engineering firm looked at redesigning the alignment back to its original design, but determined it would not be efficient because it would require additional easements from the HOA that would take out a lot of their fencing. In order to proceed with the Project, acquisition of the easements is required to allow the waterline to follow the desired alignment.

To keep the project on schedule, staff recommends condemnation and quick-take powers of the easements.

Ms. Lovitt asked if an offer was made for the easements. Mr. Smith responded that staff initiated an offer. In order to condemn a property, the fair market value must be offered. This easement was based on an appraisal by a certified appraiser. The appraisal value is \$17,780 for the easement. The developer has not accepted the offer at this point.

Mr. Glazman asked how long the acquisition of easements for this project has been going on. Mr. Smith responded it has been at least three years of working with the developer trying to get the easements.

Mr. Harris made a motion to recommend approval of proposed resolution R15-273, which authorizes the condemnation and exercise of quick-take powers to acquire a portion of property for the Sanford Drive to Olde Forge Water Line Project. The motion was seconded by Mr. Glazman and passed with a 5-0 vote.

Amend Agreement with VDOT Governing the Relocation of Sewer Utilities at the Onville Road/Garrisonville Road Intersection

Mr. Smith reported that this project is a priority for VDOT and the Board to begin construction. Once VDOT finishes with the intersection, they will tie into our project to relocate water and sewer utilities at the Onville Road/Garrisonville Road intersection. The improvements in this area are required for the expected increase in flows from Quantico.

The project has been advertised for bid four times and has exceeded the estimated costs by the county each time. Due to complications in performing the work in this area, VDOT feels the costs are reasonable and has decided to move forward with the project. Along with the higher cost of construction for the road, the water and sewer utilities installation are also higher. The original Board approved cost estimate was \$371,276. After reviewing the fourth bid, VDOT provided an estimated cost for the utility betterments of \$672,045. Staff has not had an opportunity to review the bid because VDOT does not share the lowest bidder information until it has been awarded. Staff plans to meet with VDOT next week to review the estimated cost to ensure payment is for the betterment portion only.

Staff recommends amending the agreement with VDOT because the betterments are needed and there would be a substantial increase in cost if Utilities has to complete the work as a separate project.

Mr. Glazman made a motion to recommend approval of proposed resolutions R15-376, which authorizes the County Administrator to amend an agreement with VDOT governing the relocation of water and sewer utilities at the Onville Road/Garrisonville Road intersection. Mr. Harris seconded the motion and it passed with a 5-0 vote.

Utilities Commission Bylaws

Mr. Harris requested clarification regarding Section 2.4 (E), which states, "The number of votes necessary to transact business shall be a majority of the quorum present and voting." He thought the language in the section was unclear. Mr. Harris commented he thought the statement should read; "The number of votes necessary to transact business shall be a majority of the quorum of the commission present and voting."

Mr. Harris asked the following questions about Section 5 dealing with public hearings of the bylaws:

- Does the Commission have the authority to approve or deny a public hearing?
- Does the Commission have to wait for the Board to initiate action?
- Can the Commission initiate their own action?

Discussion ensued about the questions. Mr. Harris suggested asking the County Attorney's office about the intent and purpose of the Commission being a citizen's advisory body and asking if the language in the bylaws is sufficient to adjust the process in the bylaws.

Commission members then discussed the following questions:

- What constitutes a quorum?
- If members resign and the seats have not been filled, is it still based on the total number of possible members?
- Can the Commission change the definition of quorum in their bylaws?

Following the discussion, Mr. Smith informed the Commission he would contact the County Attorney's office for clarification about their questions and concerns and would e-mail the Commission the resolution regarding formation of the Utilities Commission for their review for discussion at next month's meeting.

Adjournment

There being no further business, Mr. Tignor adjourned the meeting at 7:55PM.

Minutes submitted by,

DaBora Lovitt

DaBora Lovitt,

Recording Secretary