

UTILITIES COMMISSION

May 9, 2006

7:30 p.m.

The Stafford County Utilities Commission met for its regular meeting on May 9, 2006, in Conference Room A,B,C in the Stafford County Administration Center. Commission members present were Joyce Arndt, Richard Carroll, Lloyd Chittum, Juan Chaves, Gene Mayausky, and Patricia Kurpiel. Bob Bos, Dale Allen, and Cheryl Giles were present for the Utilities Department.

2. **Public Presentations** – There were no public presentations.

3. **Approval of Minutes** – Minutes for the April 11, 2006 meeting were approved as written.

Bob Bos reported that at the Board of Supervisors meeting on Tuesday, May 2nd, the Board endorsed the idea that an AOSE be hired for all pump and haul projects. The Board also recommended that a deadline date be added to eligibility requirements for pump and haul projects.

4. **Pump and Haul Policy** – Dale Allen reported that staff had completed a draft resolution and two draft ordinances which included the recommendations that the commission requested at the April 11, 2006 meeting. Dale summarized changes for R06-240 which consisted of the following:

- In paragraph 2B, an evaluation by an independent AOSE is required in addition to the certification by VDH.
- In paragraph 2C, the AOSE report must be included with the VDH certification.
- In paragraph 2D, pump and haul eligibility would be denied if the drain field problem is self-inflicted.
- In paragraph 2E, pump and haul contracts would be limited to 10 years.
- In paragraph 2F, the County would hire an AOSE to review the situation at each pump and haul property.
- In paragraph 2I, an overflow device could be used to allow a “failed” drain field to be used on a seasonal basis.
- In paragraph 2P, on-site sewage disposal systems which were constructed after August 19, 1997 would not be eligible for pump and haul.

Dale explained that the O06-X1 is a tiered schedule that starts at \$3.20 per 1,000 gallons for 2,000 gpm and increases sharply for each 2,000 gpm increments up to 12,000 gpm which is at the full cost to the county. The O06-X2 starts at the same tiered schedule as O06-X1, but phases out the subsidy over a 10 year permit. Both ordinances contain a cap at 2% of the family’s yearly income for wastewater volumes up to 6,000 gallons per month.

Juan Chaves recommended that in the resolution R06-240 at 3 places where it states “residential properties”, that “owner-occupied” be added and that the years “8-10” on the tier schedule of O06-X2 be changed to read 8 and over. Patricia Kurpiel asked what is the downside of having non-subsidized pump and haul and expecting residents who can afford pump and haul to pay for it. Juan Chaves responded that if a solution has not been reached by the 10 year time limit then the resident would have to pay full price. Patricia also inquired as to how other jurisdictions handle pump and haul.

After some discussion of the rate structure in the ordinances, Gene Mayausky made a motion to accept the resolution with the changes Juan Chaves recommended. The motion was seconded by Lloyd Chittum. Joyce Arndt made a motion to adopt resolution R06-X2 with the change Juan recommended. The members voted 5-1 to refer R06-240 and O06-X2 to the Board of Supervisors. Patricia Kurpiel voted against the motion and stated she was not convinced that subsidized pump and haul was the best solution. Patricia commented that she would also submit a letter explaining why she voted against the resolution.

5. Waterline Extension Project – Dale Allen reported that 11 homeowners along Walnut Drive have petitioned the County to extend public water on Walnut Drive. The proposed project would connect to a proposed waterline in Section 8 of Leeland Station. Dale highlighted the five evaluation criteria for Neighborhood Projects. Dale also explained that staff recommends that consideration of the project be delayed because it is dependent upon construction of Section 8 of Leeland Station as a water supply source. Also the project could be considered at the same time another deferred project, McCauley Lane Neighborhood Water Extension Project.

Juan Chaves inquired as to how many properties would be affected by the project. Dale explained that 26 additional lots could be served, including 2 that have called to inquire about water availability.

Gene Mayausky made a motion to defer the request until installation of the Leeland Station, Section 8 waterline was completed. Lloyd Chittum seconded the motion. The commission voted 6-0 to defer the project.

6. Reservoir Protection Overlay – Bob Bos reported that attached to the background report were a copy of the Spotsylvania County's Reservoir Protection Overlay District Ordinance and a sample ordinance written by the Environmental Protection Agency for the commission to review.

Patricia Kurpiel commented that the commission should go over the design standards first. Juan Chaves commented that not having a zoning map before the language was done for the ordinance would help to make sure the wording was done fairly, without consideration of whose properties would be affected.

After some discussion, Juan Chaves suggested that a committee be appointed to research alternatives and report the findings back to the commission at the next meeting. Patricia Kurpiel and Joyce Arndt were each appointed to serve on the committee.

Drainfields Standards Update – Dale Allen reported on the proposed drainfields ordinance O06-23. Dale commented that the ordinance has been deferred by the Board because the Board thought that the ordinance was not stringent enough. Dale explained that Planning has been pursuing a parallel drainfields ordinance, O06-02, which would amend the Subdivision Chapter of the County Code and that the County Administrator has requested the following:

- The Planning Commission and the Utilities Commission both review and approve each other's ordinance.
- Duplicate material would be removed from one of the ordinances.
- Non-controversial items would be placed in a separate ordinance.
- The ordinances would be placed on the same Board agenda item so that the Board could consider them together.

Patricia Kurpiel commented that the clarity of the language in ordinance O06-02 on page 2 in reference to the on-site sewer section, under letter (e) was not clear and she thought that it could be misinterpreted. After some discussion, Juan Chaves suggested rewording the statement to read as follows: In all cases there shall be both a reserve drainfield area that is equal to one hundred percent (100%) the primary drainfield capacity and shall be no less than 2,500 square fee. This percentage is based on absorption capacity and land area.

Patricia Kurpiel made a motion to table discussion of the ordinance until next meeting to allow commission members more time to further review the ordinances. Gene Mayausky seconded the motion. The motion was approved on a 6-0 vote.

8. Public Utilities Administrator's Report – Bob Bos reported the following items:

- Staff concluded that watershed messages could be printed on utility bills.
- A summary of the CIP would be presented to the Board on Tuesday, May 16th.
- A memo to the County Administrator about the Chesapeake Bay Regulations to meet the requirements to clean up the Bay by 2010 with staff recommendations was provided to the commission members.

9. Commission Members Comments – Lloyd Chittum inquired about the findings of the Trails End Lane Waterline Extension Project. Dale responded that he had spoken with the County Attorney and with Mr. Root. He has also sent Mr. Root a letter requesting a reply back by May 12th to discuss the matter. If Mr. Root does not reply, plans would be made to seek acquisition of the easement through other means.

The meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Patricia Kurpiel
Recording Secretary