

UTILITIES COMMISSION

August 2, 2006

7:30 p.m.

The Stafford County Utilities Commission and the Stafford County Planning Commission met in a joint meeting held on August 2, 2006 in the Board Chambers in the Stafford County Administration Center for the purpose of a joint public hearing on three ordinances regarding drainfields. Utilities Commission members present were Joyce Arndt, Richard Carroll, Juan Chaves, Lloyd Chittum, Bob Hunt, Gene Mayausky, and Patricia Kurpiel. Bob Bos, Dale Allen, Nancy Collins, and Cheryl Giles were present for the Utilities Department.

2. Public Presentations (Joint Meeting) – Bill Johnson, a representative of the Friends of Abel Lake (FOAL), requested that when the commission considers changes to the reservoir protection overlay ordinance that they please consider recreational use and set reasonable policies because property owners do provide proper care to Abel Lake.

Robert Decatur expressed concern about changes to the reservoir protection overlay ordinance and also agreed that residents do provide excellent care of Abel Lake.

Raymond Taylor also expressed concern about revisions that may be implemented to the reservoir overlay protection ordinance. Mr. Taylor stated that he believes that residents who live on the lake have contributed to the quality of the water at Abel Lake.

3. Public Hearing – Mr. William Cook, Chairman of the Planning Commission opened the public hearing and called on Dale Allen and James Stepowany to present the staff report. James Stepowany provided the background for ordinance O06-02 and explained the drainfield area requirements recommended by the VDH. Dale Allen provided the background for ordinances O06-23 and O06-53 and explained the issues and requirements that the Board requested be contained within the ordinances.

After the report was completed, Mr. Cook opened the floor for discussion. Steven Pitzel, of the Planning Commission, asked how was the square footage measured and was the 4,000 square footage area the footprint area. Tommy Thompson, of Environmental Health, explained that the Health Dept. uses a chart that shows the amount of drainfield per percolation rate and shared an example of how it is determined. Mr. Thompson stated that the 4,000 square feet area is the footprint area.

Barbara Kirby, of the Planning Commission, expressed concern about the minimum of 4,000 square feet in area being required. Ms. Kirby asked who decided and how was it determined if an item was controversial or non-controversial for ordinances O06-23 and O06-53. Dale explained that the Utilities Commission decided what was controversial or non-controversial and it was determined by what items generated comments. Items that generated no comments were considered non-controversial. Ms. Kirby also inquired how does the requirement in ordinance O06-23 that “all new, expanded and repaired septic tanks and pump chambers must have a precast at-grade access over the outlet structure” in ordinance affect homeowners who have owned their home for many years. Dale explained that this requirement would only apply if the homeowner would need to go to the Health Dept. to obtain a permit to repair or modify their system for a reason other than installing an at-grade access.

Juan Chaves also expressed concern about the minimum of 4,000 square feet area being required.

Archie DiPeppe asked if it was true that all drainfields eventually fail. Tommy Thompson responded yes and explained that the soil eventually gets clogged when using a conventional system. Mr. DiPeppe inquired if that is the reason a reserve drainfield would be needed and required.

Mr. Cook then opened the public hearing for speakers from the public.

- **O06-02** – Spencer Hudson spoke on behalf of the Stafford Council For Progress against the ordinance. Mr. Hudson requested that an explanation for why a duplicate ordinance for recently passed ordinances was needed.

Mark Stewart spoke on behalf of Dominion Soil Science, Inc. against the ordinance. Mr. Stewart distributed a letter explaining their concerns about the ordinance.

O06-23 - Mark Stewart spoke on behalf of Dominion Soil Science, Inc. against the ordinance. Mr. Stewart distributed a letter explaining their concerns about the ordinance.

Spencer Hudson stated that he would like the Commissions to address and discuss the need for specifying approaches and technologies and that he supports what was stated by Dominion Soil Science.

O06-53 - Mark Stewart spoke on behalf of Dominion Soil Science, Inc. against the ordinance. Mr. Stewart distributed a letter explaining their concerns about the ordinance.

Mr. Cook closed the public hearing and instructed that each commission discuss the report separately at their regular meeting.

Following the joint public hearing, the regular Utilities Commission meeting was held in Conference Room A,B,C.

4. **Public Presentations (Utilities Meeting)** – Bill Johnson, a representative of the Friends of Abel Lake (FOAL), and Raymond Taylor both requested that when the commission considers revisions to the reservoir protection overlay ordinance that they please keep in mind that property owners do provide proper care to Abel Lake.

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

6. **Public Hearing: Drainfield Standards** – Commission members discussed the report from the public hearing and determined that they were satisfied with recommending approval of the ordinances to the Board. Lloyd Chittum made a motion to recommend O06-02 as revised. The motion was seconded by Gene Mayausky and passed with a 7-0 vote. Joyce Arndt made a motion to recommend O06-23 as revised. The motion was seconded by Gene Mayausky and

passed with a 7-0 vote. Gene Mayausky made a motion to recommend O06-53 as revised. The motion was seconded by Lloyd Chittum and passed with a 7-0 vote.

7. Reservoir Protection Overlay – Bob Bos explained that the commission would be reviewing two separate ordinances, the reservoir protection overlay and the terminal reservoir ordinance. Bob distributed a copy of the existing terminal reservoir ordinance and commented that it could be found in the Miscellaneous section 17-28 of the County of Stafford Code. Bob also distributed a copy of a section of the Waterworks Regulation of the Virginia Department of Health and noted that paragraph (e) of this section states that a terminal reservoir shall not be utilized for body contact recreation use. Bob commented that this is a requirement by the state.

After some discussion about concern for legality issues of the ordinance for Abel Lake residents, commission members agreed that the focus of the reservoir protection overlay ordinance should be on providing proper care of the water quality for reservoirs. Bob commented that additional research with the County Attorney, Zoning, and the State Health Department would need to be done and more details could be provided at next month's meeting.

Gene Mayausky made a motion that the discussion of the ordinance be tabled until next month's meeting. The motion was seconded by Lloyd Chittum and passed with a 7-0 vote.

8. Pro Rata Fees and Master Water & Sewer Plan – Patricia Kurpiel made a motion to defer discussion of pro rata fees and the Master Water & Sewer Plan until the next meeting. The motion was seconded by Bob Hunt and passed with a 7-0 vote.

9. Public Utilities Administrator's Report – Bob Bos reported that the Board approved a half million dollar contract for construction of the access road and pipeline for the Rappahannock River Intake Pumping Station and a 1.5 million dollar contract for the design of the Rocky Pen Run Water Treatment Facility.

10. Commission Members' Comments – Patricia Kurpiel reported that resolution R06-361 in reference to pump and haul for 11 Mallard Rd. went before the Board at the August 1st meeting and was approved by a 4-3 vote.

The meeting was adjourned at 10:05 p.m.

Respectfully submitted,

Patricia Kurpiel
Recording Secretary