

RWSA BOARD OF DIRECTORS
Minutes of Regular Meeting
October 27, 2003

A regular meeting of the Rivanna Water and Sewer Authority (RWSA) Board of Directors was held on Monday, October 27, 2003, at 2:03 p.m., in the Conference Room, Administration Building, 695 Moores Creek Lane, Charlottesville, Virginia.

Board members present: Mr. William Brent, Mr. Michael Gaffney – Presiding, Mrs. Judith Mueller, Mr. Gary O’Connell and Mr. Robert Tucker.

Authority staff present: Mr. Lonnie Wood, Mr. Robert Wichser, Mr. Norman Wescoat, Ms. Anne Bedarf, Ms. Jennifer Whitaker, Ms. Kathy Ware and Mrs. Mary Knowles.

Also present: Mr. Kurt Krueger – RWSA Attorney, Mr. Stephen Bowler – Watershed Manager for Albemarle County, Mr. Dan Mahon – Outdoor Recreation Supervisor and Greenways Planner for Albemarle County, Mr. Aaron Keno, Mr. Tom Pursel and Mr. Bob Cline – Gannett Fleming Project Team, Ms. Nancy Barker, Mr. Neville Reynolds and Mr. Chris DeWitt – Vanasse Hangen Brustlin, Inc. Project Team, members of the public and media representatives.

1.0 Call To Order

The regular meeting of the RWSA Board of Directors was called to order by Mr. Michael Gaffney on Monday, October 27, 2003 at 2:03 p.m., and a quorum was present.

Mr. Gaffney welcomed fellow Board members, members of the public and the many consultants who were in attendance at the meeting.

Mr. Gaffney commented on Hurricane Isabel and how RWSA managed during that storm event. He stated that he was in Boston at that time, but Mr. Wood kept him informed daily concerning the hurricane’s impact on Rivanna operations. Mr. Gaffney further stated that he was very pleased to learn that due to the hard work and dedication of Rivanna employees, no customers lost water or sewer services in this area. He reported that all but one of the back-up generators operated as expected. He added that although the generator at the Observatory Water Treatment Plant failed, there was enough pressure in the system to maintain water levels in the tower and meet customer needs. Mr. Gaffney commended the Rivanna employees on a tremendous job of maintaining operations during the emergency situation.

2.0 Minutes Of Previous Board Meeting

Upon a motion by Mr. Tucker, and seconded by Mrs. Mueller, the Board of Directors by a 5 – 0 vote approved the minutes of the regular Board meeting held on Monday, July 28, 2003.

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2.0 Minutes of Previous Board Meeting Cont.

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Upon a motion by Mr. Tucker, and seconded by Mr. O'Connell, the Board of Directors by a 5 – 0 vote approved the minutes of the special Board meeting held on Friday, September 12, 2003.

3.0. Items From The Public

Mr. John Martin, Free Union, stated that he wanted to speak briefly concerning a report prepared by a consultant hired by the City and the Albemarle County Service Authority on the subject of allocation of costs for the future water supply. He commented that it was a difficult report for laymen to read because it contained conceptually challenging concepts. He further stated that it involved shifting huge amounts of money from the City to the County. Mr. Martin read the following statement from the document: "The billing methodology specified in the 1973 agreement is cumbersome and inherently unfair to the participating jurisdictions." He also stated that after carefully reading the consultant's report, it does not explain why there is an inherent unfairness. He commented that he felt the whole process would benefit if this were more fully explained.

Mr. Martin commented that the statement has often been made that the City should not pay for the County's growth. He stated that he was not certain what this bold statement meant, and he felt it had never been backed up. He further stated that he did not know if there was a built-in unfairness to the way things have been done in the past. He added that 20 years ago the City and the County spent a lot of time, energy and emotion negotiating a joint resolution for the purchase of the Buck Mountain land. Mr. Martin reported that the joint resolution is not even mentioned in the consultant's report. He stated that the issues are the same now as they were 20 years ago concerning whether the City should pay for the County's growth, and he felt the resolution should be carefully examined.

Mr. Martin stated that the consultant proposes that the County pay \$5.47 million out of the \$7.5 million cost for the bladder, which is 73 percent of the total cost. He further stated that based on the assumption that there is unfairness and the burden of paying for the future water supply is shifted to the County, he felt it was only fair that the composition of this Board of Directors be changed. Mr. Martin commented that if the County pays the money, it should have increased representation. He added that if the City does not want 50-50 sharing, then it should not have control of the Board. He also stated that he felt this was consistent with the way it was handled in many jurisdictions.

Mr. Martin also commented that once this agreement was finalized, he felt it could not be a three-party agreement. He stated that he did not feel the public would accept that arrangement. He further stated that the County Board of Supervisors are his elected representatives, and he felt that they should be and must be parties to

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3.0 Items From The Public Cont.

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whatever agreement is made. He added that he understood the County Board of Supervisors would consider this matter on November 5.

Mr. Gaffney thanked Mr. Martin for his comments.

4.0 Consent Agenda

Mr. Gaffney asked if there were any other items that the Board members would like to pull for questions or further discussion from the Consent Agenda.

- 4a) Staff Report on Finance
- 4b) Staff Report on Operations
- 4c) Staff Report on On-going Projects
- 4d) Update – Executive Director Search

Mr. Wood reported that he would be providing a verbal update on Item 4d), and Mr. O'Connell stated that he had a question on Item 4c).

In regards to **Item 4c), Staff Report on On-Going Projects**, Mr. O'Connell asked if RWSA staff could give an update on the October 20, 2003 meeting with the Woolen Mills neighborhood representatives regarding the Rivanna Pump Station Odor Control Study. Mr. Wichser reported that he and Ms. Jennifer Whitaker, RWSA Chief Engineer, along with Black & Veatch consultants, met with two neighborhood representatives on that date. He stated that they reviewed the proposed final design on the upgrade of the odor control system for the pump station. He further stated that after the discussion, a site visit was made with one of the representatives to discuss a potential landscaping design.

In regards to **Item 4d), Update – Executive Director Search**, Mr. Wood stated that he talked to Mr. Robert Slavin last week and reported that Slavin Management Consultants has received over two dozen resumes. Mr. Wood also stated that the position would be advertised in the November issue of the AWWA Journal, and the firm would like to wait a few weeks while the periodical circulates before reporting on potential candidates. Mr. Wood commented that he felt Mr. Slavin would be ready to give his report at the November 24, 2003 Board meeting, and he requested that a joint closed session be held on that date to review the firm's recommendations. After further discussion, the Board agreed that it would hold the closed session at the conclusion of both Board meetings on the 24th.

Upon a motion by Mr. Brent, and seconded by Mr. Tucker, the Board of Directors by a 5 – 0 vote approved Items 4a), b), c), and d) of the Consent Agenda.

5.0 Other Business

In regards to **Item 5a), Lickinghole Creek Recreation Management Presentation**,

Mr. Gaffney reported that Mr. Stephen Bowler – Watershed Manager for Albemarle County,

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and Mr. Dan Mahon – Greenways Planner and Outdoor Recreation Supervisor for Albemarle County Parks & Recreation Department, were present at today's meeting to give that presentation.

Mr. Bowler stated that RWSA manages the Lickinghole Creek Stormwater Basin, which was built in the early 1990's with funding from the County and grant money from the Environmental Protection Agency. He further stated that the County recouped some of the funding through a pro rata share program with developers. Mr. Bowler added that the fundamental purpose of the basin is for stormwater treatment to remove sediment, phosphorus and nitrogen heading towards the reservoir. He reported that when the basin was initially built, the upstream side was made into constructed wetlands as part of mitigation. He also stated that it has become a natural area in the midst of a growing community, became stocked with fish, and has developed other purposes from its original intent. He commented that these purposes are not planned or managed at this time, which has created problems for the County and RWSA staff with property damage from trespassers. Mr. Bowler stated that the County was seeking the Board's support for holding discussions with RWSA staff concerning the County assuming a management role for those usages and converting them from a nuisance into an opportunity. He further stated that they would welcome any feedback regarding the type of arrangement for County management of the facility and respond to any questions and concerns of the Board.

Mr. Dan Mahon stated that he lives in Crozet upstream from the Basin and was involved in the Crozet master planning process. He reported that out of those discussions, the community expressed interest in two main natural recreation destinations: Mint Springs Park and the Lickinghole Basin Area. Mr. Mahon referred to the Green Infrastructure Map, included in the Board packet, and noted the current and proposed development near the Basin area. He added that the residents are extending beyond the designated common open spaces with neighborhood trails into the basin area. Mr. Mahon commented that the Greenways Plan adopted in 1999 actually depicts the Lickinghole Basin Area as a study area. He also stated that due to the amount of informal use the facility is currently undergoing, he felt an investigation into the development of a recreational management plan needed to be undertaken.

Mr. Mahon reported that the current feeling of the community and County staff is that the area should be designated as a passive recreation destination. He further stated that the development of a well-defined trail system would serve as resource protection by concentrating and managing access to the area. He then asked if the Board had any questions concerning their request.

Mr. Tucker expressed support for the project as he felt management of the recreational activities could alleviate the trespassing issues. Mrs. Mueller inquired as to what other plans have been made in addition to the trails being proposed for the area. Mr. Mahon responded

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that the community envisioned passive recreation versus athletic activities. Mr. Gaffney asked if access to the area would be limited to the surrounding neighborhoods. Mr. Mahon stated that the area was seen as a neighborhood facility. He added that discussions are currently underway with the owners/developers of the Con Agra property regarding a trail that would go through their property and connect with Crozet Park for public access and to also address parking issues. Mr. Mahon commented that until the Con Agra property has been developed and before a single access point can be opened, current access points need to be managed to prevent unsupervised entry into the area. Mr. Brent stated that he would recommend that the County move forward with this plan as the Albemarle County Service Authority has received several complaints in the past about trespassers and unregulated activities.

Mr. Mahon also reported that Crozet Trails organization has been established, which is a community grassroots group that will partner with the Greenways Program. He stated that monitors and volunteers within the group would assist County Park Department staff with the upkeep and management of the proposed Lickinghole Basin trail.

Mr. Bowler stated that if the Board had no objections, the Albemarle County Parks Department would proceed with the Lickinghole Basin study and return in a few months to submit a formal proposal for the Board's consideration. He further stated that beyond that point, there would be a management plan development process with RWSA staff participation to address Rivanna's responsibilities at the Lickinghole Basin Area.

Mrs. Mueller asked if RWSA staff had any concerns with the proposal submitted by Mr. Bowler and Mr. Mahon. Mr. Wichser stated that there were maintenance and liability issues that would need to be addressed during the investigation process, but he felt it was a unique opportunity for the development of a community recreational area.

In regards to **Item 5b1), 5b2), 5b3), Approved Minutes of May 28, 2003, July 2, 2003, and August 20, 2003 Citizen Advisory Committee Meetings**, no Board action was required.

In regards to **Items 5b4 and 5b5), Reports on Citizens Advisory Committee Role and Membership Status**, Mr. Wood reported that the CAC is a nine-member Board and currently has two vacancies. He stated that by February 2004 there would be an almost complete turnover in the membership. He further stated that out of the six members whose terms expire during this time frame, only one is eligible for reappointment, four are serving their second term and not eligible for reappointment, and one has indicated her inability to serve a second term. He added that one member was recently reappointed until February 2005. Mr. Wood stated that RWSA is requesting Board permission to advertise for new members through newspaper ads in order to assist with the recruitment process.

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After further discussion, the Board suggested that Committee members assist in the

recruitment of new CAC members.

In regards to **Item 5c), Community Water Supply Plan**, Mr. Wood reported that members of the new consulting team were present today to provide the Board an update on project status, present timelines and estimated milestones. He stated that the second objective was to initiate discussion on the possibility of increasing the reservoir by more than the four-foot crest height. Mr. Wood introduced Mr. Aaron Keno from Gannett Fleming, who is the Project Director for the Community Water Supply Plan, and asked that he come forward at this time to address the Board.

Mr. Keno reported that he was the manager of Gannett Fleming's Fairfax Office and a Principal in the firm and the Principal in charge of the Community Water Supply Plan. He further stated that other members of the Gannett Fleming team were present to answer questions from the Board.

Mr. Keno thanked RWSA for selecting Gannett Fleming, and he stated that they looked forward to working on this project. He reported that good progress has been made in the two weeks his firm has been under contract. Mr. Keno then introduced the following team members in attendance: Mr. Tom Pursel – Gannett Fleming, Project Manager; Mr. Bob Cline – Gannett Fleming, Dam Engineering Lead; Ms. Nancy Barker- VHB, Permitting Coordination; Neville Reynolds and Mr. Chris DeWitt – VHB.

Mr. Tom Pursel next gave an update on the status of the Technical Tasks listed on the timeline prepared by Gannett Fleming. He explained that the Project Team has concentrated its efforts the first two weeks on the Hydrologic Modeling to reconfirm the elements that have been identified in the Capital Improvement Program and to determine the amount of storage needed to operate the reservoir system. Mr. Pursel further stated that the model would also provide RWSA staff with a management tool for optimizing the entire reservoir system in addition to providing safe yield results. He added that the Project Team is in the process of evaluating the Hydrologic Modeling data, and they hope to have those results by January 2004.

Mr. Pursel stated that concerning the Observatory Water Treatment Plant, a Site Assessment Team meeting has been scheduled for next week to review operations and gather background data. He added that the report is expected to be completed by March or April 2004.

Mr. Pursel reported that Gray and Pape would be the sub-consultant on the Cultural Resource Survey. He stated that a meeting would be held with the regulatory agencies to determine if the sites preliminarily selected would in fact be impacted by the project. He commented that this report is also expected to be completed by March or April 2004.

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Mr. Pursel stated that an engineer was at the North Fork Plant last week conducting the site evaluation. He added that the report on the North Fork Pumping Intake Planning should be

prepared by the end of the year.

Mr. Pursel reported that the Project Team would move forward on identifying the property that would be impacted by the four-foot crest controls. Mr. Gaffney inquired if Property Identification was being conducted for the impact of eight-foot crest controls. Mr. Pursel stated that at this time the Project Team has only been directed to study the impact of four-foot crest controls. He added that the raw water model results would determine if a reevaluation of the project is needed.

Mr. Pursel stated that a white paper would be prepared after examining existing data to assess the status of the Pilot Dredging Project. He added a decision would be made on whether to move forward with this project after examining the results of the raw water models.

Mr. Pursel explained that work on the Spiny mussel Survey is seasonal and cannot occur until the spring. He added that the Clearing and Grubbing Plan would need to occur during the same time frame.

Mr. Brent inquired if the Observatory Water Treatment Study would result in better treatment capability of iron manganese at Sugar Hollow during low water events. Mr. Wichser stated that improvements at the Observatory Water Treatment Plant are intended to increase the quantity and quality of water released and would not change the chemical treatment process.

Mr. Pursel explained that the Mechums Pump Station should have been included in the Technical Tasks with the North Fork Pumping Intake Planning item. He stated that the Project Team would await the results from the Raw Water Model before they could proceed with this project.

Mrs. Mueller inquired if copies of the Raw Water Model results would be provided to the Board. Mr. Pursel stated that RWSA staff would be given a copy, who could then make it available to the Board. He further stated that today's update is preliminary and more detailed reports would be submitted in the future. He added that written monthly summaries would be provided to RWSA staff, and verbal reports would be presented to the Board on a quarterly basis. Mr. Tucker suggested that the monthly updates be placed on the RWSA website.

Ms. Nancy Barker next gave a report on the Regulatory component of the project. She stated that it was important to note that the Project Team was moving forward on three fronts: Technical Tasks, Regulatory and Public Involvement. She added that it was also

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important not to move forward on the technical aspects without bringing the regulatory agencies and the public components along at a comparable pace. Ms. Barker commented that the results from the Technical Tasks reported on by Mr. Pursel need to be completed

before a permit application can be submitted to the regulatory agencies. She reported that they hope the permit application would be ready for submission sometime mid 2004.

Ms. Barker stated that their first task is to obtain wetlands confirmation by the Army Corps of Engineers and the Department of Environmental Quality. She further stated that they are in the process of coordinating the wetlands data that was compiled by another consultant last winter and incorporating the information into one report for regulatory confirmation.

Ms. Barker stated that once the hydrologic models have been completed, a meeting with all the regulatory agencies will be held to inform them of the course of action to be taken on the project. She added that preliminary discussions with these agencies indicate that they are aware of the processes in place.

Ms. Barker reported that the previous consultant had conducted some preliminary wetlands mitigation work, and the Project Team will move forward with the data to finish the work and plan for the mitigation consistent with the impact.

Ms. Barker reiterated that the Project Team plans to submit the permit application sometime mid 2004 with the permit approval being obtained in early 2005.

In response to a question from Mr. Gaffney, Ms. Barker stated that construction could begin after regulatory approval has been obtained. Mr. Tucker inquired as to when the public would become involved in this process. Ms. Barker responded that the Project Team believes the property owners adjacent to the reservoir would be the major public component. She further stated that after the hydrologic modeling and property identification tasks have been completed, the Project Team could then initiate discussion with the property owners. She added that after the permit application has been submitted and comments have been received from the regulatory agencies, public input would be solicited on modifications to the plan. Ms. Barker commented that the permit application would then be resubmitted for regulatory approval. She reported that the public would also be involved during mitigation planning.

Mr. Aaron Keno added that the current hydrologic modeling did not include statistics from the 2002 drought. He stated that the Project Team would be incorporating that data into the existing work and would rework the raw water model based on the latest information. He further stated that once the hydrologic work has been completed, the results will be presented to the Board on a comparative basis. Mr. Keno reiterated the importance of the hydrologic modeling and stated that the results would dictate the track for implementing the community water supply plan.

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In regards to **Item 5d), Procurement – Emergency Generator, Modular Building, HVAC Replacement**, Mr. Wood stated that he would address the procurement of an Emergency Generator first. He commented that the generator at the Observatory Water Treatment Plant failed during the hurricane. He further stated that RWSA feels that it is

important to replace the generator before the onset of the winter season. He added that RWSA would like to purchase a new generator before that time, which the Authority feels would not be possible under a sealed bidding process. Mr. Wood reported that RWSA is therefore requesting that the Board of Directors approve awarding the purchase and installation of a back-up generator for the Observatory Water Treatment Plant on an emergency procurement basis. Mr. Krueger stated that he felt RWSA's request met the emergency procurement requirements.

Upon a motion by Mr. Tucker, and seconded by Mr. Brent, the Board of Directors voted to approve the procurement of the emergency generator, the modular building, and the HVAC replacement, as recommended by RWSA staff. By a 5 – 0 vote, the motion was approved.

6.0 Other Items From Board/Staff Not On Agenda

There were no items from the Board or staff not on the Agenda.

7.0 Closed Meeting

There was no need for a closed meeting.

8.0 Adjournment

There being no further business, Mr. Brent moved the meeting be adjourned, seconded by Mr. Tucker. All members voted aye, and the meeting was adjourned at 2:55 p.m.

Respectfully submitted,

Mr. Robert Tucker
Secretary - Treasurer