

VIRGINIA:

At a regular meeting of the King George County Service Authority Board of Directors, held on Tuesday, the 5th day of April, 2022 at 5:30 p.m. in the Revercomb Building Board Room at 10459 Courthouse Drive, King George, Virginia:

PRESENT: James Morris, Chairman
Allen R. Parker, Jr., Vice-Chairman
Cathy Binder, Member
Annie Cupka, Member
Chris Miller, County Administrator/Interim General Manager
Kelly Lackey, County Attorney

ABSENT: Carrie Cleveland, Member

0:00:00.0 Chairman: I hereby call this regular meeting of the King George County Service Authority Board of Directors to order. We will start with an invocation by Ms. Cupka, followed by the pledge of allegiance by Mr. Miller. If you're able to stand, please do so.

0:00:21.5 Annie Cupka: Let us pray. Dear Lord, please watch over all who gather here today, please allow us to make the decisions in the best interest of our customers and the community which we serve. We ask that you heal the sick, comfort the families of those we've lost. Above all, bring peace to nations at war and let us love one another as you first loved us. In your name, we pray. Amen.

0:00:47.4 Chairman: Amen.

0:01:09.9 ALL: I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

0:01:12.4 Chairman: Mr. Miller, do we have any amendments to the agenda?

0:01:19.1 Chris Miller: No, sir.

0:01:19.9 Chairman: Thank you. Moving on to public comments. Do we have anybody in the audience that wishes to speak this evening? Mr. Dines, do we have anybody online?

0:01:31.6 Chairman: Thank you, sir. Moving on to reports of the board members. Ms. Binder?

0:01:38.5 Cathy Binder: Yes, thank you very much. I just wanted to say I've had some great conversations with people in the community about our joint work session and doing some more research on a merger or even being able to contract services out with... If you also merged it into utility. And the last thing I'd like to do is appoint or nominate Triche Mollner to serve on our budget committee.

0:02:08.2 C. Miller: What was the name again? Could you...

0:02:09.4 C. Binder: Triche Mollner.

0:02:10.6 Chairman: Moller, Molner or Mollner?

0:02:12.5 C. Binder: M-O-L-L-N-E-R. T-R-I-C-H-E.

0:02:17.2 A. Cupka: Second.

0:02:19.6 Chairman: Okay. I have a motion and a second. Any discussion? All in favor?

0:02:23.9 C. Binder: Aye.

0:02:24.6 A. Cupka: Aye.

0:02:25.1 Allen Parker: Aye.

0:02:27.6 Chairman: Motion carries. Can I get a spelling of the last name again, please?

0:02:30.9 C. Binder: M-O-L-L-N-E-R. She lives in Canterbury.

0:02:34.4 Chairman: Okay, thank you.

0:02:35.3 C. Binder: I'll get the information to Lauren.

0:02:37.7 Chairman: Thank you.

0:02:38.6 C. Binder: And that's all for my report, thank you.

0:02:40.0 Chairman: Thank you, Ms. Binder. Mr. Parker?

0:02:45.5 A. Parker: So, couple of things to report since we last had a meeting. Ms. Binder and I took the tour of the different plants with Inboden, had a lot of really good conversations with different employees and real in-depth conversations with Inboden. And one of the things I think that came out of that, that I think we really need to look at exploring, is the possibility of having the management of the service authority contracted. It appears that we probably don't have the overall knowledge base currently in the program to get people trained the way they need to, and get things... In the technical realm, we're lacking, so we really do need Inboden or somebody like

Inboden on the process. So with that, and talked to different people about it, what I would like to make is a motion to have Mr. Miller and his staff take a look at putting an RFQ or an RFP together, I don't know which is more appropriate, to bring back to the Board for having a private energy basically bid to manage the service, at least the sewer side of the Service Authority. Seems the water is operating very well and kind of smoothly, but we have the... We need some kind of knowledge base in there, so I'm gonna make the motion that... Or I'm gonna make the request if everybody...

0:04:28.3 C. Miller: I was gonna tell you that I do have an update on my report, but if you would like to... But I will tell you this, that we have already issued an RFQ to start that process, and at the end of this month, we should have the ability to look at several firms, hopefully, and rate the highest and then go to an evaluation committee that would rate the highest, and then we would then go ahead and be in a form of negotiation to accomplish exactly what the board wishes in this respect. So that... Certainly you could make a motion, it would back it, but I mean, I didn't...

0:05:10.6 A. Parker: No, I didn't know that that was already in process, so no, there's no motion and I think that's probably the right way to be going. We at least have something to evaluate, somebody just run... Doing the management and training, 'cause we just lack that knowledge in-house right now to get the personnel trained fully like the way they should be, so I'm glad we're doing something like that. I also held the first of a couple of town halls, I really do wanna thank Mr. Miller and Ms. Cupka for attending. Ms. Cupka was very well prepared, she brought a lot of information with her, which was super helpful, 'cause we did get off, a little off topic of what we were... What the intent was, but it was a good meaning, a lot of good discussion about just various aspects of the service authority and also the possibility of converting it to utility, so I really do appreciate the attendance by Ms. Cupka and Mr. Miller. It was really appreciated.

0:06:13.4 Chairman: Thank you, Mr. Parker. Ms. Cupka?

0:06:16.0 A. Cupka: Thank you, Mr. Chair. I just had that one item, Sunday, April 3rd, attended the town hall at Hopyard Clubhouse with James Madison District Service Authority director, Mr. Parker and Mr. Miller regarding the future of the service authority. I wanna thank you, Mr. Parker, for organizing the event, and thanks to everyone who came out. Thanks very much, Mr. Chair.

0:06:37.4 Chairman: Thank you, Ms. Cupka. And for me, a local plumbing contractor had reached out looking for some clarification as to where responsibility starts and stops with homeowners or property owner and the service authority. Thank you for the staff for researching that. They forwarded me the current regulation that we are operating under, and I forwarded on to him and it seems to have met what he was looking for. As with any contractor, you start off operating in different jurisdictions, you get different rules, so he wanted to stay on top of things. And again, thank you to staff for the efforts, and if we keep working well with our plumbing contractors, it's what we need. That's all I have, thank you. Okay, moving on to the consent agenda.

0:07:37.5 A. Parker: I make a motion to accept the consent agenda as written.

0:07:39.9 C. Binder: Second.

0:07:40.3 Chairman: Motion has been made and second. Any discussion? All in favor?

0:07:45.4 C. Binder: Aye.

0:07:46.8 A. Cupka: Aye.

0:07:47.3 A. Parker: Aye.

0:07:47.9 Chairman: And the Chair votes aye, motion carries. Report from the County Attorney, Ms. Lackey.

0:07:55.7 Kelly Lackey: I don't have anything to report this evening, thank you.

0:07:58.2 Chairman: Thank you, ma'am. Okay, financial presentation by Ms. Hahn.

0:08:09.4 Donna Hahn: Good evening, Mr. Chair, members of the board. Earlier today, I sent you all an updated financial report, the one that was in your packet was through January, and this one is through the end of February. In that report, you'll see that our revenues... Our current year-to-date revenues are \$5,954,111 of the projected budget of \$6,990,077. So you can see from the charges, we're already at 83% of our budget, so it looks like we're gonna bring in more revenues this year than were anticipated during budget season. And then on the operating side, on the Water Department, out of their budget is... The amended budget is \$1,797,445. Of that, they have spent \$912,757. And the sewer side of the house has \$3,376,405 in the budget, and year-to-date spend is \$1,929,124, and then down at the bottom, the transfers for debt service, that's the monthly payment that is made for the King George Service Authority debt, and so far, \$932,782 have been paid towards that debt. Are there any questions about the finance report?

0:09:52.6 Chairman: No. Thank you, Ms. Hahn.

0:09:54.7 Donna Hahn: Thank you.

0:09:57.3 Chairman: Okay. Next, Department of Finance has a presentation on Purkins Corner.

0:10:14.5 Megan Pitts: Thank you. I'm here before you this evening in reference to the Purkins Corner Wastewater Treatment Plant decommissioning project. In October of 2021, the King George County Service Authority requested proposals for the Purkins Corner Wastewater Treatment Plant decommissioning project. This RFP solicited proposals from offers capable of satisfying the King George County Service Authority requirements associated with the decommissioning of the Wastewater Treatment Plant, improvements to the Hopyard Wastewater Treatment Plant, reversal of wastewater flow from the Purkins Corner to the Hopyard Wastewater Treatment Plant, construction of a new force main required for the transfer of flow, evaluation of impacts to existing water pump stations, and construction of new water main to connect the courthouse and Hopyard water systems.

Proposals were received in November and evaluated by a committee consisting of representatives from the county, the service authority, and Inboden. Interviews with the short-listed firms were conducted in January and February of this year. Following the interviews, the eval committee selected Rummel Klepper & Kahl as the highest ranked firm based on their proposal and interview, and then we commenced negotiations with RK&K. They will provide professional engineering services to the King George County Service Authority to provide preliminary design, final design, surveying, geotechnical, environmental permitting and bidding services. As part of their scoping

fee, RK&K will also include WQIF grant funding assistance and an option for alternative project delivery, utilizing the construction manager at-risk protocol. The scope of work includes but isn't limited to approximately 20,000 linear feet of new force main aligned south westerly along King's Highway, from the intersection of Comorn to Port Conway, and southeasterly along Port Conway to the Hopyard Wastewater Treatment Plant.

Also included is approximately 700 linear feet of new force main near the existing high school pump station. Hydraulic modeling, impact assessments, and potential capacity upgrades involving nine existing sewage pumping stations, RK&K will also evaluate private grinder pumps to determine if modifications will be necessary. Approximately 11,000 linear feet of new water transmission, main extension aligned southwesterly along King's Highway from the intersection of Comorn Road to the intersection of Port Conway Road and southeasterly along Port Conway Road to the existing water main. Evaluation and potential upgrades to the Hopyard Wastewater Treatment Plant to achieve compliance with proposed enhanced nutrient removal requirements and an alternate means of solids handling and disposal. Decommissioning of Purkins Corner wastewater Treatment Plant and permit transfer, geotechnical evaluations, permitting and grant assistant and easement plats. The full scope is included in your board packet and includes quite a bit more.

I recommend that the board of directors authorize the general manager to appropriate the approved project budget in the amount of \$1,363,214 and to issue a notice of award to RK&K for the Purkins Corner Wastewater Treatment Plant decommissioning project in the amount of \$1,363,214 and authorize the general manager to execute an agreement with RK&K subject to approval of the agreement as to form by the county attorney. And with that, I'm happy to take any questions.

0:13:52.1 Chairman: Okay, no questions?

0:13:54.0 C. Binder: Well, I just want a clarifying question, so that the public understands that this is... This would come possibly out of the money from the state, correct? To do this.

0:14:03.2 C. Miller: Yes, but you also did approve of capital projects back in November that included this project... You included... I believe your amount was \$4 million that you approved, and this is the first phase, obviously, of it, the engineering phase. So the Board has already committed to do it, whether it comes out of those funds, it might come in another year and a half. We can certainly make those adjustments, but you've committed to do it and we will... We have the ability to utilize that line of credit if we need to do that.

0:14:40.9 C. Binder: Right, and then the last point is just to clarify, this is just the first phase of it, correct?

0:14:45.7 C. Miller: That's yes, ma'am.

0:14:46.7 C. Binder: Alright, thank you.

0:14:49.9 A. Cupka: Mr. Chairman, can I get some advice from the County Attorney to expound on the question that Ms. Binder asked? So my understanding, ma'am, is, ARPA funds must be incurred or obligated between March 3rd, 2021 and December 31st, 2024, so all ARPA funds must be expended by December 31st, 2026. Expenses incurred prior to receipt of ARPA funds, but after March 3rd, 2021 are eligible for reimbursement as well. Is that consistent with your understanding of ARPA funding?

0:15:28.3 K. Lackey: I don't have the date specifically in front of me, but I think Ms. Hahn could probably address that and I'd be happy to verify that as well, and circle back to you all...

0:15:39.8 Ms. Cupka: I just wanna make sure we're answering Ms. Binder's question, that even though we're doing this now, we could use ARPA wastewater funds in the future.

0:15:53.4 Ms. Hahn: If I'm understanding correctly, what Ms. Binder was probably asking about was the \$16.9 million that was gonna be included possibly in the state budget for the second year. And what you're quoting, Ms. Cupka, is the ARPA funds which come to the county and can be used for water and sewer, and you are correct on the dates.

0:16:18.1 A. Cupka: And so the ARPA funds are... The \$16 million from the state is from the ARPA. Yes.

0:16:23.8 Ms. Hahn: Okay, I wasn't aware of that.

0:16:26.5 A. Cupka: Yes. Thank you.

0:16:29.5 Chairman: And to clarify, the state hasn't approved the budget yet, this is still all pending, right? Okay. Any other questions? Do I have a motion?

0:16:42.0 A. Parker: Yeah, I make a motion to authorize the General Manager to take the following actions: Appropriate the project budget in the amount of \$1,363,214, issue a notice of award to Rummel Klepper & Kahl, RK&K, for the Purkins Corner Wastewater Treatment Plant decommissioning project in the amount of \$1,363,214, and to authorize the execution of a professional services agreement with RK&K in the amount of \$1,363,214, subject to the approval as to form by the county attorney.

0:17:19.6 C. Binder: Second.

0:17:21.0 Chairman: Motion's been made and second. Any discussion? Okay, roll call vote. Ms. Binder?

0:17:27.9 C. Binder: Aye.

0:17:28.9 Chairman: Mr. Parker?

0:17:28.9 A. Parker: Aye.

0:17:29.8 Chairman: Ms. Cupka?

0:17:31.1 A. Cupka: Aye.

0:17:31.1 Chairman: Ms. Cleveland is absent, and the Chair votes aye. Motion carries.

0:17:38.5 M. Pitts: Alright, thank you very much.

0:17:39.8 Chairman: Thank you.

0:17:41.6 Chairman: Okay. Mr. Miller, time for your report.

0:17:48.8 C. Miller: Okay, so a couple of items on there, I think, that are being pulled up, and then I have a couple... One more item to add. First off, not on there, but I need to make a records correction to November 23rd, 2021 Board of Directors meeting. Reference was made to the acceptance of CARES Act funds for '21-'22 fiscal year, and it should be mentioned that that is for ARP funds. And we just need it spread across the minutes, so by saying that, it will be appropriate for the auditors. Okay.

Update on the superseding consent order that was approved in August of 2021, we have an obligation, essentially, with the Department of Environmental Quality to provide updates on a regular basis, and our next update that we are providing will be sent to them this Friday; it's due by the 10th of April. Staff is working on that. And it involves the pump stations that we have, specifically we're looking at the one at the Burger King, they call it the Burger King pump station. But this is part of the consent order. In speaking with the folks at DEQ, they're gonna probably require every six months some kind of an update about what we're doing and things like that, and so nothing really specific of any concerns, just wanting to update you that we... It is...

It's been executed and it's in place, but we still have obligations to keep in touch with DEQ. Update on the Dahlgren plant, just some good news on that, we got a letter from the DEQ field representative that indicating that they are now rescinding their order for us to submit a number of a variety of reports dealing with the type of samplings that we get, so that's good news, 'cause they've indicated that everything is back to normal. We participate regularly, probably about every 10 days in a meeting with the DEQ folks about Dahlgren, but also about Purkins and some of the other things that are going on with our plants, and the DEQ officials that are coordinating that meeting are, and I think I've reported this, are very happy with the effort to turn Dahlgren around, and I think that's a tribute, again, to the effort of our staff and the guidance that Inboden Environmental Services has been providing. And so we're working obviously to keep that standard up. We have some projects that we're going to be working with and coordinating with DEQ, one of those is... There's what's known as an EQ basin, that's where, a reserve area where the wastewater comes in and there are some issues that they identified and we're working with them on that. And so that will be something that will be coming here in the future, we have that out for bid... Not for bid, but for a proposal that's being addressed by folks from Draper Aden.

We also have UV, the UV system that we have to upgrade there. I believe... John, or where do we stand on that? Yeah. So we'll have new equipment that's gonna be installed. That was per some of their original concerns with Dahlgren under a previous consent order, which has now kind of gone away because of all the efforts that we've been dealing with on this. I think I did report at the last meeting or previous meeting that they had also rescinded the VDH, the Department of Health had rescinded the shellfish ban, so it's back to normal there. And so again, Dahlgren is back in a good place.

Purkins Corner, we continue to work with DEQ on that. They're very mindful to remind us that we still have to operate it, and we've always been operating it, but I think they had this belief that we weren't operating it because we were gonna decommission it, but of course, that's a three-year process. But anyway, we are continuing to work under Inboden's guidance to get that plant into a better place, and I can just tell you that we haven't had any major incidents there.

I will have some information to provide to you regarding the information I sent to you about the Hopyard situation that happened last week. I'm waiting on the folks from Inboden to pull together what's known as a five-day letter that we will issue to DEQ, and I'd like to be consistent with that information, and I'll provide that to you all, and also I'll provide that to the members of the Board of

Supervisors who are not on the service authority as well. But we had a situation, obviously, it involved our water plant having a faulty valve that then kept the water running all night and it then kind of overflowed the wastewater plant. And we have reported that, we've done all the things we have to do, but then we have a five-day letter that we provide more detail, and like I said, I'll share that with you when that is available.

Proposed date for the budget work sessions. So I think we indicated that we were looking at Thursday. The only one that's not... That the April 12th is next Tuesday, April 14th would be the Thursday of next week. And given that that's kind of in and around Easter, we thought maybe back it up to the 12th. If the board is interested, we could have your first kind of organizational meeting, talk about what you wanna see, show you the things that we are working on. If the 12th doesn't work or if it's too soon, then we obviously have the 21st, which is a Thursday, and also the 28th, which is a Thursday, and then May 12th, which is a Thursday, that you probably meet. I guess you could do May 5th, but I thought that those were some of the dates that we could kick around. I don't know that the budget would require more than three meetings, and it doesn't have the same level of procedural requirements that the Board of Supervisors budget has in terms of dates that have to be met. We do know that if there is any kind of a rate increase, then that's gotta be done prior to June 30th or prior to July 1, and so we would want to reserve that June timeframe for anything like that. So let us know tonight, I guess, if you have a preference for when you wanna do your first meeting. I don't need an answer right now, but if you wanna let us know, we can... We'll start working towards whatever date you set.

0:25:55.4 Chairman: Does anybody have any significant issues with these dates?

0:26:00.0 Ms. Cupka: So I would just say, Mr. Chair, we do actually need at least the first date selected tonight because we need to adjourn to that date.

0:26:07.6 Chairman: Yes.

0:26:07.9 Ms. Cupka: So does the first date, April 12th work for everybody?

0:26:15.7 Chairman: I know Ms. Cleveland cannot do the 12th, and I cannot do the 21st, but I can do the 12th. So how is the 12th with everybody else? Yeah. Let's do the 12th for the initial meeting.

0:26:43.0 C. Miller: Okay, the only problem, we'd have to come up with another location, and we could find another location, but Planning Commission's in here on Tuesday of next week, and then all next, all this month, Fire Station Number One, Company One, has got classes. So we could find maybe the Citizen Center or somewhere like that. I don't know, Chris is not happy about that, I guess. But we can find a location.

0:27:09.6 C. Binder: The sheriff's office or the library?

0:27:12.4 Chairman: True. So the 12th?

0:27:19.0 A. Parker: And is that gonna be at 5:30?

0:27:21.8 Mr. Miller: If that works for you. Unless you would like another time.

0:27:26.4 Chairman: That's fine with me.

0:27:32.9 C. Miller: So what you would wanna do is when you do your adjournment, you would just...

0:27:36.4 A. Parker: Location to be determined.

0:27:37.5 Mr. Miller: Yes. Okay, so the other item is in what I was referencing to Mr. Parker's motion. And so what we have issued is a RFQ for wastewater operations. It is set up in a way that it is for the contract management of the wastewater operations. However, when you do an RFQ, what an RFQ allows you to do is get the highest rated... You'll evaluate the qualifications that are submitted, and then what will happen is the evaluation team will then recommend that we go into some kind of negotiations. And then at that point, it's kind of an open process in the sense that we could... If there's specifics that the board wants to have in the contract, then we would negotiate those to be in the contract. If you're wanting to talk about just managing existing employees, then that could be something that's inserted. If it's about letting a contractor come in and bring their own employees or transitioning our employees into their ranks, then that's something we can do. So it's pretty open-ended and that's what we wanted to do. And so the... I don't know, Donna, do you know, is it... It's the end of this month, I believe, is when it's due, and then we'll get the evaluation committee and we'll push this to go on a fast track, 'cause I'd like to get this thing before the board and get it kind of resolved before we get too far into the summer months. I will tell you this, happily, Inboden is gonna continue to stay in the role that they're in right now. They are under a month-to-month contract that provides for their level of services right now, they're gonna continue to do that. And then that allows us, at least we won't have a gap, if you will. If they had not wanted to do that and then we had to wait for an operations contract to be in place, we might have had some kind of a gap. So they'll continue to stay in that, and we're very thankful for that. So I will provide any updates as we go along, but right now the plan would be, we'll have RFQs, or qualifications coming in at the end of the month. And I'll answer any questions if there's any on that subject. The last item up there is, I received a request to acquire property from a Mr. Garland Pratt. He's in Fairview Beach. The service authority at one time had a tank that sat on this very odd-shaped piece of property. They were removed, or the tank was removed several years ago. It's essentially a property that's owned by the service authority, it really cannot... It has no use to us. And what this gentleman wants to do is to... He has two lots, one of which borders on this property by the service authority, that the service authority owns, and he wants to be able to acquire it. I have talked to Ms. Hall, community development director, we've checked to make sure there's nothing, there's no use that the service authority really could ever have with it. And so what I will do if... I'll probably have to bring it, obviously bring it back to the board and have you guys act on it and we can have something ready to go at the next meeting on the 19th. But I will work with Ms. Lackey on that. He wants to build a garage and it would encroach, and he wants to be able to expand his property a little bit by acquiring the property that we have. So, I'll answer any questions about that.

0:31:55.7 A. Parker: Are we getting that property evaluated by somebody?

0:31:57.2 C. Miller: I can find out what it would be evaluated, and I guess I should have probably had a picture for you, and I can have that at the next meeting, but it wasn't... It's like a mini version of the State of Vermont. It's a very irregular-shaped lot, and there's a road that goes through it that I assumed was what the service authority used to work on that tank or to read what was in the tank, and things like that. But the tank was removed. We've gone out and secured that, and I don't know exactly when it was, but it's not there anymore. But it shows up in old plats from like 2010, 2011,

and now it's not there.

0:32:50.8 A. Parker: And there's no foreseeable future use to the property?

0:32:55.5 C. Miller: I can't... It's a wooded... It looks to me like it's got a little bit of slope, maybe like a drainage ditch kinda running through the middle of it, and I think it might be kind of a... Just a waste property that the board didn't have any use for. But I will confirm that with our folks and make sure there isn't anything that future easements or anything like that, but I don't think we would ever have any need for it.

0:33:26.6 C. Binder: I have a question. It's not near the water at all?

0:33:28.2 Mr. Miller: No.

0:33:35.5 Chairman: And speaking of property, where are we with the St. Paul's, the property surrounding the St. Paul well?

0:33:43.3 C. Miller: If I recall, I believe we had asked if you wanted to coordinate with the owner on some of the specifics, and then you were also checking...

0:33:51.3 K. Lackey: Yeah, I need to get you a draft agreement to present to the property owner. I'm working on that, yes.

0:34:03.8 C. Miller: But I will work with Ms. Lackey, and then we'll put something together.

0:34:12.0 Chairman: Okay, yeah.

0:34:13.1 C. Miller: But we bring it back to you, you have to authorize obviously, it's the sale of any property. I don't even know where you would start on the valuation of it, but we can work with the revenue commissioner on that information.

0:34:28.3 Chairman: Right. Okay, thank you. Any other questions for Mr. Miller? Okay. Any information items? Okay. Motion to adjourn.

0:34:45.9 A. Parker: I make a motion to adjourn to April 12th at 5:30 PM. The location is to be determined and announced.

0:34:54.7 Chairman: Motion's been made. Do I have a second?

0:34:56.9 C. Binder: Second.

0:35:00.1 Chairman: Motion made and second. Any discussion? All in favor?

0:35:02.9 C. Binder: Aye.

0:35:03.1 A. Cupka: Aye.

0:35:03.3 A. Parker: Aye.

0:35:03.7 Chairman: Aye. Chair votes aye. Motion carries. We are adjourned until April 12th, 2022 at 5:30 PM, at a to-be-announced location.