

County Business

VIRGINIA:

At a regular meeting of the King George County Service Authority Board of Directors, held on Monday, the 3rd day of March, 2020 at 5:30 p.m. in the Board Room of the Revercomb Building at 10459 Courthouse Drive, King George, Virginia:

PRESENT: Cathy Binder, Chairman
Michael Bennett, Member
Annie Cupka, Vice-Chairman
James Morris, Member
Allen R. Parker, Jr., Member
Jeff Stonehill, Member
Neiman C. Young, County Administrator
Eric A. Gregory, County Attorney

[START OF TRANSCRIPT]

Ms. Cupka: I hereby call to order the meeting of the King George County service authority board of directors. I want to make note for the record. Ms. Bender is not able to be here for this meeting. She is en route from the NACO legislative conference in Washington DC and believe she will be here in time for the board of supervisors meetings. She is delayed, but she is on official County business. I will lead the invocation and the pledge of allegiance will be by Mr. Weakley.

Invocation and Pledge of Allegiance

Ms. Cupka: Are there any amendments to the agenda?

Mr. Weakley: There are no amendments Madam Chair.

Ms. Cupka: Thank you. Public comment, public comment will be limited to three minutes per person so that everyone has the opportunity to speak. Is there anyone that would like to come forward for public comment at this time? Being none is there anyone online? No? Very good. We'll move on to reports of members of the board.

Mr. Morris: Yes ma'am. I attended a budget workshop on February 27.

Ms. Cupka: Thank you, sir. Mr. Parker.

Mr. Parker: Same here. I attended the budget workshop on the 27th. I have to say a budget's coming along well. Appears much of the heavy lifting goes credit, goes to a last shoe's board of directors. They did a lot of work to get the budget into a great shape that it's in this year. Jonathon's done a great job getting things straightened out as well.

Ms. Cupka: Thank you Mr. Parker. Mr. Bennett,

Mr. Bennett: Thank you Madam Chair along with my colleagues on February 27th, I attended the budget work session and with the citizen advisory committee members as well. We appreciate you being there. On February 25th, I received an email via email, a copy of the draft environmental assessment EA associated with the FEMA grant for the Fairview beach riverbank stabilization project. Noah national Marine fisheries service, the last agency to weigh in on the project has now submitted their comments and there are no other agencies, federal or state that needed to review the project.

This has allowed to enable engineering to draft the EA for FEMA. The draft EA was sent to Chris Worley and me for any comments or editing suggestions we wanted to make. Both Mr. Worley and I did offer some suggestions and launch Naval has finalized it. EA will go to FEMA for final approval. Once FEMA adopt the EA there will be a 30 day public comment period and then hopefully the grant funds will be released and King George County can then issue an RFP for construction of the project. One item of note, the national Marine fishery service has offered the opinion that there is no need to impose a time of year restriction on the project to protect a spawning fish because the Potomac River is wide enough, three to four miles wide to allow for sufficient safe areas for spawning. In other words, once a contract is, agreed to by the County, the construction can go forth without any other delays. It's all I have, Madam Chair.

Ms. Cupka: Thank you Mr. Bennett. As for my report, I too on February 27th attended the second service authority board of director's budget work session and I want to say thank you to all those who participated as we navigate the budget process and prioritize the many needs we have. All right. Consent agenda. May I have a motion to accept the consent agenda?

Mr. Bennett: So moved.

Ms. Cupka: Second?

Mr. Parker: Second.

Ms. Cupka: Any discussion? All in favor?

All: Aye.

Ms. Cupka: Opposed? Chair votes aye. Motion carries. County attorney. Do you have a report for us this evening?

Mr. Gregory: No report at this time Madam Chair.

Ms. Cupka: Thank you sir. Presentations and reports.

Mr. Weakley: No presentation.

Ms. Cupka: Action items. Mr. Weakley, would you like to present the sprint lease?

Mr. Weakley: Thank you Madam Chair. You'll bring up the photo please Lawanda. You'll see up on the screen there, that is the picture from the street view of village lane of the Monmouth water tower site. The service authority has been approached by sprint spectrum LP, a Delaware limited partnership to lease space to erect antennas on the existing Monmouth water tank. This property is known as parcel 9-82 P as in Paul, well lot number two which is located at 16960 village lane and King George County Virginia. The lease allows sprint the co-located antennas on the water tower to improve cell service and coverage for the citizens of King George County. The lease would also allow the service authority to generate revenue at a rate of 2,500 per month. What they scheduled 2% annual rent increase. The term of the lease is for five years and they do have re-ups the term will automatically renew for five additional terms of five years each pending board approval.

I would further add, if you look at that, let me see if I have a pointer here. Do I have a pointer? Here we go. When you're driving into the site and you go through the gate the well house is right over here on the right, everything's inside this compound. In your service agreement towards the back, there's a photo of this perimeter. When you go into the left, this fence goes in and then it kind of dog legs back off to the left. They want to construct a little it's either a 12 by 12 or 10 by 10 building there to house some of their equipment. They would then, we would have to, not we... they would have to cut holes in this sphere at the bottom. They would be responsible for making any proper touch up or sealing off.

Some of those towers have communication ports fabricated already. This tower does not, hence the reason they have to penetrate the spear there just for the general public. There is no water in this portion. If you were to open up this access door, it just allows you to go inside. There's some valving and then there's a riser pipe. That's where the water goes up to and feeds this bowl. That's where your water is located. I just want the general public to know that there's no damage or causing leaks here. They would then run that cable up internally here, up to the outside. I believe there are plans spell out four or three smaller antennas. That tower height is around 160 feet. These antennas at the most, they appear to maybe be about four feet in tall. They attach via handrail.

It's below the FCC. Anything above 200 feet requires lighting for aviation laws. This is below that so they would not be any need of lighting. Again, we feel that this is a revenue stream that the service authority needs, but more importantly customers in that area would have cell phone coverage, improved services. I would imagine that they're going to offer some internet services hot via hotspots as well. I'm not here to sell their servers primarily to let you know they have presented us a lease. Mr. Gregory and I have reviewed that. We find it very favorable. We went back and actually negotiated the annual increase. Lastly I want to point out that this doesn't just start tomorrow. In this agreement they do have up to 18 months to execute this before payment would start. It's all based on they view time, start time as time of construction.

That's not when complete is when they actually start. They start, you know, getting their building permit cause they will be required to get a building permit obviously for their building. Initially I was going to put this in, I know we're going to talk revenues tomorrow. I was going to put this in that, but I've since scratched that because anytime I hear up to 18 months, I don't want to count revenue haphazardly for the service authority. We feel that it's good business. It's good for the public. It brings us a revenue source so, I'm recommending approval for this action item.

Ms. Cupka: Thank you. Mr. Weakley. Questions from the board?

Mr. Bennett: Madam Chair I'll make a motion. I move that the board of directors of King George County service authority approve the lease agreement with sprint spectrum LP and authorize the general manager to sign the lease agreement.

Ms. Cupka: Do I have a second?

Mr. Morris: Second.

Ms. Cupka: Discussion?

Mr. Bennett: Actually now I do have a question.

Ms. Cupka: I have a question too. Do you want to go ahead first?

Mr. Bennett: I guess my question Mr. Weakley is how does this compare in terms of the monthly rent to the lease agreement we have with I'm blanking on the wireless company.

Mr. Weakley: Internet KGI. Good question. For those of you may not be aware, the board of directors executed an agreement with KGI for them to be able to serve broadband services to customers and they are looking to locate on our Oakland Park water tower which is out in the Oakland Park subdivision and also on our Arnold's corner, a well site, which is just down behind the food line. That agreement was written as such for its rent free for the first year and then that following cycle, it would be monthly payments of \$1,000 per site. That would be \$2,000 a month and small portion we would pay for the electric, but we would in return receive internet service at four of our locations that being wastewater treatment plants, all except for the Dahlgren wastewater treatment plant.

Mr. Bennett: Our newer members understand, one of the reasons why the board did that was A, because KGI is a brand new company and they really didn't have any customers, they're not exactly sprint. Secondly, the County had a great need of getting broadband services throughout the County. We felt that this was something that service authority could do for the County as a whole, not just our own customers. There are some reasons why that's we're, we're going to make less money on that lease. Those lease says, or those two sites and we went on the sprint one.

Ms. Cupka: I would also add they are a King George County business as well. I think there was consideration made for that. I have a question for Mr. Gregory. I seem to remember, although I was not on the board, I was in the audience at the time when we approve, when that board, I'm sorry, approved KGI's agreement, we had to have a public hearing because it was a public asset. Do we need to do for this as well?

Mr. Gregory: No, that actually wasn't required. The County has to provide public hearings for that purpose, but not the service authority.

Ms. Cupka: So that will be a separate County issue?

Mr. Gregory: The certain real property assets are control, owned and controlled by the County that are service authority assets and some are owned and controlled by the service authority. It's kind of a mixed bag. That's just by virtue of the way that the service authority developed over the years and acquired assets. Some were acquired by the County somewhere acquired by the service authority. This asset is a service authority asset and so that's why the public hearing is on it.

Ms. Cupka: Thank you. I'm wearing two hats and just wanted to make sure we covered that base if we had to. All right. Is there any further discussion? We have a motion that has been properly seconded. All in favor?

All: Aye.

Ms. Cupka: Opposed? Chair votes aye. Motion carries. I believe we are on general manager's report. Mr. Weakley.

Mr. Weakley: Hey, thank you Madam Chair. Thank you all for approving that lease agreement. Did we? Okay. Just a couple of slides for the night. Want to make you aware of taco water systems did come out on site. They did evaluate the following, well houses listed above and we anticipate receiving an evaluation report soon. Not only it will let us know the functionality and various times they may report. It definitely will be a planning tool. That should be in queue hopefully to receive that this week. We did receive a letter from DEQ recently requesting abandonment documentation for the following Wells.

Bear with me here... is that... should be the second slide. Did I lose connectivity? I can report the narrative and it'll pop up on the screen here momentarily. Go back let me see... Here we are, thank you very much. The Well's outline Arnold's corner as well, one and three and presidential lakes Wells one and two - Now of course president's lakes were another system we acquired and those Wells were offline- reached out to DEQ today to ask are they mandating these Wells to be abandoned because of a specific reason or is it because these Wells have been offline? These Wells have been offline for some time. I do. I apologize. I do not have an answer for you right now as of why, but part of our planning for this upcoming year, we were looking at presidential Lake Wells one and two. Because if they are serviceable it would add a good amount of capacity to our courthouse system which we very desperately need.

I mean, one of the items you've heard us talk about recently for a development that's being considered later this month, we've talked a lot about wastewater. We've been selling our water because we can serve that existing location. As larger developments come through, we're either going to have comments of

we're only going to be able to support a certain amount of that development or certainly if we can increase our capacity, we want to do that. We're waiting for comment back from Miss. Tisdale. We have to have a response depending on their response. Our response is due back March 21st. I will report back on that item as soon as we have further information.

Mr. Bennett: Madam Chair can I just follow up and make sure I understand?

Ms. Cupka: Yes you may.

Mr. Bennett: Mr. Weakley we're waiting to hear from DEQ whether they're telling us we have to abandon these Wells. Is that what you're saying?

Mr. Weakley: Yes sir. We want them to clarify, is it abandonment because we've had these Wells offline for a period of time or is it abandonment because they have some impacts such as gravel or something of that nature.

Mr. Bennett: Did you... you said you had a conversation with them, is that right?

Mr. Weakley: Yes sir.

Mr. Bennett: Did you let them know that we may need them for future development and expansion?

Mr. Weakley: No sir.

Mr. Bennett: We'll wait and see what their letter says.

Mr. Weakley: We'll see what their letter says, but, we'll definitely come back with that comment. I know there's "talk" of maybe some other sizable development being applied for that does not mean it will be granted or not granted for that matter. If those things come on the horizon for this courthouse area then looking ahead, planning for the future, we would love to put those two additional presidential Lake Wells in service.

Mr. Bennett: If I remember correctly before you even got here, we found out that there were some Wells on the Fairview beach system that were, is offline the right word for that?

Mr. Weakley: Yes, sir. Potomac landing of the three Wells that are out there. Fairview beach two, which is on the main drag coming into Fairview if you're heading towards Tim's and Fairview three, which I believe is off 11th street down that way. Those

are in service. Potomac landing was one that was taken out of service. Yes, sir. Similar rationale.

Mr. Bennett: My understanding is we were trying to get that one back in service.

Mr. Weakley: That one needs to be... correct, but it needs to be evaluated. That particular well Potomac Landing we're not sure if it's being impacted where it's actually pumping sand versus, you know the aquifer itself.

Mr. Bennett: As opposed to water, correct?

Mr. Weakley: Correct. As opposed to water. Correct.

Mr. Bennett: But, if I remember correctly, we want to have what the engineers call redundancy. In other words, backups. Arnold's quarter one and three are, currently abandoned or offline, I guess is the better word. How many other Wells do we have on that system?

Mr. Weakley: On the courthouse system? We have... how many would you say, four? Yeah. Thank you Patty. Four. Four are on that system. They're adequate. They're, they're supplying. Matter of fact, if you looked at I don't have the numbers from me, but I do know if you look at what our average daily demand is and we report that monthly versus the ground water withdrawal permit, we're are meeting that and we still have capacity with the Wells that are in production. Those wells would have a positive impact if we are allowed to bring those back online.

Mr. Bennett: Well, I guess what I'm getting at "is there an Arnold's corner well number two?" I believe there is a number one and number two.

Mr. Weakley: Let me clarify this. Because the numbering can be misleading. Having gone through some of this exercise. When you're going to develop exploratory Wells for potential production Wells, meaning you want to put those in service. They come out and there's a mapping done of that of where they think you may have a good Aquifer. The health department and the office of drinking water, which are separate one's the state agency, one's the local health department and they will identify those on a map. It could be, well 12, well one, well 20 they may not be in sequence as such. It just so happens that those are referred to as wells one and three.

Mr. Bennett: All four of them are on the courthouse water system?

Mr. Weakley: Correct. Yes sir. If the board like I can provide a follow up email of the wells on that system. I can shoot you a follow-up email tomorrow.

Ms. Cupka: If you could I think that would be helpful. Thank you.

Mr. Weakley: Yes, ma'am. Okay. On the wastewater side, just want to report, there were two items remaining on the consent order to close out, one being revise on submittals and the other being the pump station. The O and M's were submitted. On February 29th so we're just waiting on follow-up. We hope they approve them. I went through the detail work Worley and Wilson did a lot of updating. We actually have a spare parts inventory, which I know sounds crazy but you... one would expect it, but I'm happy we have that now. I feel confident that we have and, up to date accurate spare parts lists. Our main thing is now going through that list and that we have all those parts but at least we have that identifier in our O and M manuals that were lacking before.

Again we're hoping for a favorable response. Then that last item we did addressed DEQs follow-ups questions they had initially for our pump station PR. That's the five year plan. You heard me speak a little bit about our budget meeting last night, the priority one, two and three items. We feel we've, satisfied those comments but I have requested an actual approval letter. Again, as I mentioned last time, I believe it was your question sir that we received. We just received an email that said, we like your approach, we want something official. We feel we addressed those comments. But again, we're at the waiting for DEQ to respond to that. And that's all I have at this time, Madam Chair.

Ms. Cupka: Thank you Mr. Weakley. Questions from the board of directors?

Mr. Bennett: Actually I have one. Actually this one's for Mr. Gregory though. Mr. Gregory, do you know what the mechanics will be for the consent order with DEQ? Once we get the O and M manuals approved and the only thing left outstanding is the pump stations. Do you know what, if anything will have to be done with that consent order to show that we've resolved everything but that or will it just stay in effect the existing order? Do you happen to know?

Mr. Gregory: They, I believe DEQ would probably take the position that the consent order was outstanding until all of those items in their entirety are closed out. If they want to sort of give you a preliminary release or whatever you might call that, they'd have to amend the consent order to do that. Then enter into a new consent order for that discrete item so that can get a little messy or a little... it's a process you'd have to go through and you'd have to go, in order to amend the consent order of course you'd have to go back before the state water control

board. That's... that's the process that you would have to follow if you wanted to go down that path. We can certainly touch base with the DEQ about that if you want us to.

Mr. Weakley: If, I may can I add to that sir. Kristin Sadler, who's the enforcement for titles enforcement manager, but she's leading the enforcement, handling all the coordination, the consent order, what they're doing. Because we've kept in touch all along where we're at in the process. Even items that may be in the wings that are coming to them such as the O and M's that were recently submitted. She has stated they are going to work towards a draft amendment to the consent order because she didn't want to wait around until we have the O and M submitted and then we have that pump stations as the one remaining item. She wanted to work in parallel. That process has to go back through as Mr. Gregory informed through the state water control board. It also had to go through an advertisement. That's one of the reasons why she wanted to have the draft ready, not approved, but assuming we've satisfied the O and Ms, then they would clean up the consent order, they would close out all those other items officially. Then it would be the consent order will remain in effect, but it would be amended to just include that last item. That's per Miss. Sadler's response.

Mr. Bennett: If I remember correctly, we did have a public hearing on that in Richmond. Correct?

Mr. Gregory: Yes sir. There was a public hearing before the state water control board in Richmond and I believe that process would be followed for any sort of town.

Mr. Bennett: Thank you, Mr. Gregory.

Mr. Gregory: You're welcome.

Ms. Cupka: Any other questions? Mr. Bennet did you have another question?

Mr. Bennett: Nope.

Ms. Cupka: Okay. You just looked like you were ready to-.

Mr. Bennett: To make a motion to adjourn but that to-.

Ms. Cupka: Just one more thing. Thank you Mr. Weakley for your report and thank you to staff for coming out tonight. As always, we appreciate it now if there's no further business. Mr. Bennett.

Mr. Bennett: Yeah, I move. We adjourn till tomorrow night. March 4th at 6:00 PM for our budget work session at company one. Headquarters second.

Ms. Cupka: Second?

Ms. Parker: Second.

Ms. Cupka: Thank you. Any discussion? All in favor?

All: Aye.

Ms. Cupka: Opposed? Chair votes aye. Motion carries. We are adjourned.