

At a regular meeting of the Public Service Authority Board of Directors held on Monday, February 12, 1990 at 9:00 a.m. in the Conference Room of the County Administration Building, in the Town of Pulaski, the following members were present: R. H. Love, Chairman; Archa Vaughan; Carlos Morris; H. W. Huff, Jr.; and J. Mack Baker.

Also present were: H. R. Coake, County Engineer; Nancy Burchett, Management Services Director; Joseph Morgan, County Administrator; Peter Huber, Assistant County Administrator; Leo Cecil; Laymon E. Dishon; Rusty Warren; and Jack Bowling.

1. Approval of Minutes of January 8, 1990

On the motion of Mr. Baker, seconded by Mr. Vaughan and carried, the Board of Directors approved the minutes of January 8, 1990.

Voting yes: Mr. Vaughan, Mr. Huff, Mr. Morris, Mr. Baker, Mr. Love.
Voting no: none.

2. Approval of Accounts Payable

On the motion of Mr. Morris, seconded by Mr. Huff and carried, the Board approved accounts payable as presented on checks numbered 4009 through 4055, subject to audit.

Voting yes: Mr. Love, Mr. Morris, Mr. Huff, Mr. Baker, Mr. Vaughan.
Voting no: none.

3. Citizen Comments

Mr. Leo Cecil appeared before the Board of Directors requesting that interest charges assessed on his non-user water account balance outstanding the date of the penalty and interest policy adoption be waived. Mr. Cecil said his interpretation of the Code of Virginia was that interest could not be charged on billings prior to the 1988 Code of Virginia amendment. He requested the Board make a decision today on this matter and that he wished to pay the non-user water bill as well as the connection fee bill, but only interest assessed on billings billed after 1988. Mr. Cecil, however, stated he did not wish to hook-up to the water system at this time.

Mr. Cecil also made a formal request under the Virginia Freedom of Information Act for the following information:

- a. Names of individuals who had been exempted from mandatory connection ordinance and why; and
- b. Number of non-users presently being billed.

Mr. Cecil stated he had been advised of the number of non-users presently being billed. Mr. Cecil also requested a waiver be granted to him on any additional penalty and interest which might be charged to his account until the Board could give him an answer regarding this request. Further, Mr. Cecil advised the Board that a frontage fee could be charged by the Public Service Authority which would provide additional revenue to the Public Service Authority.

Mr. Rusty Warren, developer of Parkview Subdivision, appeared before the Board of Directors and requested he be assured of reserve sewer capacity in the sewer line which is to be installed and would be serving several other developments in the

area.

On the motion of Mr. Huff, seconded by Mr. Baker and carried, the Board of Directors resolved to assure the developers of Parkview Subdivision sufficient sewer capacity to accommodate Parkview Subdivision as proposed in plans submitted to and approved by the Public Service Authority and Pulaski County Planning Commission for Parkview Subdivision for portions of the sewerage system being installed by the developer.

Voting yes: Mr. Love, Mr. Morris, Mr. Huff, Mr. Baker, Mr. Vaughan.

Voting no: none.

Mr. Laymon E. Dishon appeared before the Board of Directors on behalf of the Truman Duncan estate. Mr. Dishon advised he was the executor of the estate of Truman Duncan and requested the PSA lien on the property of Mr. Duncan be removed. Mr. Dishon stated Mr. Duncan's connection fee of \$350.00 had been paid by the Virginia Water Projects, Inc. He advised Mr. Duncan had connected to the water system but ceased to pay the water billings when the mandatory trash ordinance had been determined not to be mandatory. Mr. Dishon presented several letters from former county employees to Mr. Duncan regarding the water and garbage accounts of Mr. Duncan. Mr. Dishon stated Mr. Duncan did not receive the garbage service and he had a written statement from the driver of the garbage truck verifying that no garbage had been picked up at the property of Mr. Duncan. He said he did not wish to present the statement at this time. Mr. Dishon stated that PSA personnel had removed the water meter and Mr. Duncan had, at that point, hooked back up to his well. Mr. Dishon said that due to there being no meter, Mr. Duncan did not have access to the PSA water and therefore, should be exempted from all water charges. Mr. Dishon also stated that Mr. Duncan did not request water service after he had hooked back up to his well.

The Board requested staff research the matter and report back to the Board at the next regular meeting.

4. Reports from the County Administrator and Staff

a. Interest Assessment Effective Date - Non-Users

Mr. Morgan advised interest and penalty were being charged on all delinquent balances, but that an alternative interpretation might be charging interest and penalty only on balance both accruing and delinquent after implementation of the interest and penalty.

On the motion of Mr. Morris, seconded by Mr. Huff and carried, the Board of Directors requested a legal opinion on the interest assessment effective date, with said opinion to be reported back to the Board within 90 days.

Voting yes: Mr. Morris, Mr. Huff, Mr. Love, Mr. Baker, Mr. Vaughan.

Voting no: none.

b. Non-User Billing Status

Mr. Coake reported he had completed a review of the water system from Dublin to the western end and found several exemptions as well as several individuals who were not hooked on the water system. Mr. Coake advised he needed to conduct further review of these names to be sure they were not being billed under a different name. Once this had been done, Mr. Coake suggested the individuals be contacted by letter

and advised that future non-user billings would be billed by the PSA administrative staff. Approximately twenty-seven names were included in Mr. Coake's report. Mr. Morgan noted this equated to about 1% of the total number of water customers presently being billed by the Public Service Authority.

c. Fair Akers (East) Sewer Extension

The Board of Directors acknowledged receipt of a petition from the residents of Fair Akers Subdivision requesting sewer service to Fair Akers. Mr. Jack Bowling appeared before the Board on behalf of the residents who had signed the petition. Mr. Morgan advised there appeared to be three alternatives in servicing Fair Akers with sewer: residents install and pay all costs; possible loan from Farmers Home Administration to assist with some of the costs; or a sharing of the costs between the PSA and the residents of Fair Akers. The Board referred this request to the County Engineer to study and provide a recommendation.

d. McConnell Waterline Extension

Mr. Coake reported he had received a verbal request from Mr. Harry McConnell and his adjoining neighbors in the Riverbend Subdivision to extend the waterline to serve their property. Mr. Coake advised in order to serve this property, a 6 inch waterline would be necessary at an estimated cost of \$3,750.00. The Board requested Mr. Coake to discuss this request further with Mr. McConnell to determine if he and his neighbors would be willing to pay the cost of the water extension.

e. Dublin Area Sewer Extension

The Board of Directors were advised that the Board of Supervisors had approved the Dublin area sewer extension to all but the Mount Pleasant Subdivision. The Board was given a draft of a letter which is to be distributed to the affected residents advising of the Board of Supervisors' action. Mr. Huber advised the connection fee would be \$1,000 and a non-user fee would be \$30.88 per month. Mr. Morgan reported that the final approval of the sewerline extension by the Board of Supervisors included a willingness to set aside some county general fund reserve to accommodate the reserve requirements of the Farmers Home Administration.

f. AT&T Water Service

Mr. Morgan reported he believed the \$3,000 per year service fee in the agreement between AT&T and the Public Service Authority would remain in force following the closing of the AT&T plant in Fairlawn. However, staff would be confirming this and would alert the City of Radford of the discontinuance of service.

g. Rt. 651 Waterline Relocation Bids

The Board authorized staff to execute the contract for the Rt. 651 waterline relocation to the low bidder, Cherokee Construction Company in the amount of \$96,692.60, if such funds were provided by the Board of Supervisors, including a request to the Board of Supervisors for additional funds to complete a loop along Rt. 651 between Draper and the water treatment plant.

On the motion of Mr. Baker, seconded by Mr. Huff and carried, the Board of Directors authorized staff to employ an inspector for the Rt. 651 waterline relocation and the Boyer Mobile Home Park water and sewer line extensions.

Voting yes: Mr. Baker, Mr. Huff, Mr. Morris, Mr. Love, Mr. Vaughan.

Voting no: none.

h. Lucas Waterline

On the motion of Mr. Vaughan, seconded by Mr. Morris and carried, the Board of Directors approved the extension of the PSA waterline to serve the W. G. Hylton Subdivision, subject to it being installed in accordance with PSA specifications and at no cost to the Public Service Authority.

Voting yes: Mr. Vaughan, Mr. Morris, Mr. Love, Mr. Huff, Mr. Baker.

Voting no: none.

i. Study on User Fee for Solid Waste Disposal

Mr. Morgan presented the Board of Directors a preliminary study on the user fee for solid waste disposal. Mr. Morgan's preliminary study indicated the rate increase to transfer disposal costs to the user fee would be \$2.50 to \$3.20 per month for homes; \$2.00 to \$4.00 per empty for barrels; \$20.00 per ton for industry; \$9.00 to \$12.00 per empty for dumpsters; \$30.00 per ton for Dublin and \$30.00 per ton for other users. Mr. Huff stated he was against disposal costs being billed by the Public Service Authority as a user fee.

j. PSA 1990 Audit Report

The Board discussed the 1990 audit report for the Public Service Authority. Staff responded to several questions asked by Mr. Huff. Mr. Huff stated the staff was to be complimented for the increase in the Authority's cash position. Mr. Huff requested a breakdown of a figure under Exhibit B-3, Compensation of Board Members, totaling \$4,511.04.

k. Schrader Hill Water Service

No report was given.

l. Miller Lane Water Service

No report was given.

m. Water Treatment Plant Inspection Report

Mr. Coake reviewed with the Board of Directors an inspection report on the water treatment plant from the Department of Health. Mr. Coake advised the Board of action he had taken pertaining to the comments resulting from the inspection by the Department of Health.

n. IRS Penalty Waived

The Board was advised the penalty on late payment of payroll taxes had been waived by the Internal Revenue Service and that a refund had been received.

o. PCSA Report

Mr. Morris updated the Board of Directors on the Pulaski County Sewerage Authority's last meeting.

p. Personnel Changes

The Board was advised of the resignation of Mr. James Prescott, water service technician, for the Water Department.

q. Current Authorized Projects

The following projects were discussed:

- Banking Services RFP
- New River Sewer Extension
- Pre-treatment Policy Implementation
- Dublin and Pulaski Towns Utility Rate Negotiations Report
- Negotiation of Renewal of Agreement with Towns for Water and/or Sewer Service
- Wurno Sewer Rehabilitation
- Telemetry through RF Link
- Delinquent Account Collection
- Rt. 651 Waterline Relocation
- Sewer Hookup Rate Increase Study
- Backflow Prevention Policy & Ordinance
- Rate Adjustment Public Hearing

r. Matters Under Review

The following matters were reviewed:

- Town of Pulaski Utility Service Area Redefinition
- Sewer Rate Adjustments
- Poff Water System Acquisition
- RAAP Sewer Needs

6. Executive Session - 2.1-344(A)

On the motion of Mr. Morris, seconded by Mr. Baker and carried, the Board of Directors entered executive session pursuant to Section 2.1-344(A) of the 1950 Code of Virginia, as amended, to discuss a prospective industry.

Voting yes: Mr. Morris, Mr. Baker, Mr. Love, Mr. Vaughan, Mr. Huff.
Voting no: none.

On the motion of Mr. Baker, seconded by Mr. Morris and carried, the Board of Directors entered regular session.

Voting yes: Mr. Baker, Mr. Morris, Mr. Love, Mr. Vaughan, Mr. Huff.
Voting no: none.

RE: Certification of Conformance with Freedom of Information Act

On the motion of Mr. Huff, seconded by Mr. Vaughan and carried, the Board of Directors adopted the following resolution certifying conformance with the Freedom of Information Act:

WHEREAS, the Public Service Authority Board of Directors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in

accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by this Board of Directors that such executive meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Public Service Authority Board of Directors hereby certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Directors.

Voting yes: Mr. Huff, Mr. Vaughan, Mr. Love, Mr. Baker, Mr. Morris.
Voting no: none.

6. Adjournment

On the motion of Mr. Morris, seconded by Mr. Baker and carried, the Board of Directors adjourned until the next regular meeting to be held Monday, March 12, 1990, at 9:00 a.m.

Voting yes: Mr. Vaughan, Mr. Huff, Mr. Love, Mr. Baker, Mr. Morris.
Voting no: none.

R. H. Love, Chairman

J. Mack Baker, Secretary