



RIVANNA WATER & SEWER AUTHORITY

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RWSA BOARD OF DIRECTORS Minutes of Regular Meeting January 26, 2009

A regular meeting of the Rivanna Water & Sewer Authority (RWSA) Board of Directors was held on Monday, January 26, 2009 at 2:00 p.m., in the Conference Room, Administration Building, 695 Moores Creek Lane, Charlottesville, Virginia.

Board Members Present: Mr. Gary Fern, Mr. Michael Gaffney – Presiding, Ms. Judith Mueller, Mr. Gary O’Connell, and Mr. Robert Tucker.

Authority Staff Present: Ms. Tamara Ambler, Mr. David Atkins, Mr. Bruce Edmonds, Mr. Tom Frederick, Mr. Randy Jones, Mr. Chuck Kent, Ms. Mary Knowles, Mr. Cary Lang, Mr. Justin Weiler, and Dr. Robert Wichser.

Also Present: Ms. Sharon Baxter - Director, Department of Environmental Quality (DEQ) Pollution Prevention Programs, Mr. Keith Boisvert – DEQ Pollution Prevention Specialist, Ms. Amy Owens – Director, DEQ Harrisonburg Regional Office, Mr. Kurt Krueger – RWSA Attorney, 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. Gaffney on Monday, January 26, 2009 at 2:00 p.m., and he noted that a quorum was present.

2.0 Minutes of Previous Board Meeting

Mr. Tucker moved that the Board of Directors vote to approve the minutes of the regular meeting of the Board held on Monday, December 22, 2008, and the amended minutes of the special meeting of the Board held on Tuesday, November 25, 2008, seconded by Mr. O’Connell. The motion was approved by a 5 – 0 vote.

3.0 Executive Director’s Report

Mr. Frederick stated that at the end of the Joint Boards’ Meeting held on November 25, 2008, there was consensus to develop of a Memorandum of Understanding (MOU) for adoption by the four boards to clarify direction to implement further studies on the water supply plan that were discussed during the November 25 meeting. RWSA’s legal counsel has since drafted two or three versions of the MOU for consideration by the four boards. The latest draft incorporated comments received from Albemarle County through the Board of Supervisors and the City of Charlottesville through the City Council, but at this time RWSA staff has not been informed if the latest draft will be acceptable to the Albemarle County Service Authority (ACSA). As negotiations might not yet be completed, adoption of the MOU is not on today’s agenda.

Mr. Frederick next clarified RWSA’s understanding of the direction given to the Authority by the four boards at the November 25, 2008 meeting. RWSA was authorized to issue a Request for



Proposal (RFP) to hire an expert panel on the Ragged Mountain Dam project, and staff were currently reviewing the proposals in anticipation of bringing recommendations to the Board at the February 23, 2009 meeting. RWSA also understood that it could not proceed with the issuance of RFPs for the proposed South Fork to Ragged Mountain pipeline and dredging feasibility studies until directed by an executed MOU.

Mr. Frederick then commented on the recent discussions concerning "stimulus" funding being proposed throughout the country and particularly in Washington DC. He emphasized that RWSA has been closely following the process and is aware that a stimulus bill currently being considered by the U.S. House of Representatives includes limited funding for water and wastewater projects. The proposed bill would increase the amount of state revolving loan funds that would be issued to the fifty states. Virginia could potentially receive about \$120 million for wastewater projects, which is not a large amount when compared to the costs associated with improvements to wastewater treatment facilities and pipelines. Since the Moores Creek Wastewater Treatment Plant Enhanced Nutrient Removal (ENR) project has already been approved for a state revolving loan fund, the project would probably not benefit from the "stimulus" bill. The Meadowcreek Interceptor project is nearing "shovel-ready" status and could be a "prospective candidate" for "stimulus" funding. However, the cost of the Meadowcreek project would be about "one-sixth" of the total \$120 million projected for the Commonwealth. RWSA will continue to closely monitor the process in order to be in the best position to take advantage of any opportunities that arise through congressional action.

Mr. Frederick next referred to the updated graph of Mechums River stream flow attached to his report. Recent rainfall has improved conditions, but as illustrated by the graph, stream flows remain below average. He emphasized that all reservoirs are full, and RWSA expected that this condition would remain through April.

At the conclusion of Mr. Frederick's report, Mr. Tucker inquired if it was RWSA's understanding that "stimulus" funding would be allocated by the states and not directed to localities. Mr. Frederick stated that DEQ's current opinion is that any "stimulus" money would go directly to the states. Wording in the proposed "stimulus" bill also suggests that funding would be handled in this manner in an attempt to use existing state programs as much as possible in order to expedite the process. Mr. Tucker added that he understood there was an effort throughout the country to encourage Congress to allocate grant funding directly to localities. Mr. Frederick also commented that RWSA has focused its efforts on water and wastewater issues, but the proposed bill covered a broad array of programs that might be of interest to cities and counties.

4.0 Items from the Public

Ms. Betty Mooney, who resides at 201 Sunset Avenue, Charlottesville, VA, first wished the Board a "Happy New Year" and then commented that she felt all the Board members would agree that "the best way to make good decisions is with good information." She was in attendance again "at the beginning of the new year" to ensure that the Board did have "good information about our future water supply." She was aware that the Authority was moving forward with an RFP to review the dam costs, which she claims have "tripled." She would encourage that the other studies be done "as soon as possible," since City Council has

“unanimously” requested that these be completed before any construction could be undertaken on the dam. Those studies include the “pipeline” project for which she claims there is no “accurate” cost, design or route information. Ms. Mooney further stated that she believes the “dredging estimates are totally inaccurate.” The surveys need to be completed “as soon as possible,” as “called upon” by City Council in order to compare the cost of dredging for the water supply with the proposed plan to build a new dam and a pipeline. The latest costs in her view appeared to be “over \$200 million, but [she also believes] those costs are inaccurate and probably will be much higher.” Ms. Mooney requested that RWSA move forward with these studies, issue the RFPs, and “get the best information you can now.” She felt that dredging experts were needed to conduct the dredging survey and that estimates for dredging should not be provided by companies that build dams. She felt that an “accurate” cost for dredging for water supply purposes should really be obtained from what she considers “legitimate companies” that have experience in this area so “we can know if we can possibly save this community hundreds of millions of dollars.” Due to the current financial situation, “we can’t squander money ... we don’t have the money to squander, and we need more water.” She hoped that the Board would “move quickly” to have the studies done as “voted upon” by City Council since no construction could occur until they have been completed.

Mr. John Martin, member of the ACSA Board of Directors, stated that he would be speaking today on behalf of himself “with respect to some procedural matters regarding the MOU.” The ACSA Board received the latest draft of the MOU at 9:00 a.m. on the day of their December Board meeting. The draft was sent by Mr. Craig Brown, the City Attorney, at 6:30 p.m. the previous evening. Mr. Brown’s email indicated that while not all of the City Councilors had an opportunity to review this draft, the City wanted to make this document available for the ACSA Board of Directors meeting, which Mr. Brown understood was “tomorrow.” According to Mr. Martin, Mr. Brown also stated that he “believed that this version captures the essence of the changes desired by Council, although it is possible some additional ‘wordsmithing’ would be necessary.” The ACSA Board of Directors took no action on the MOU at its December meeting, according to Mr. Martin, due to the limited amount of time to review the draft, the appearance that it had not yet received City Council’s approval, and the possibility that additional changes would be forthcoming. At the time of the January ACSA Board of Directors meeting, Mr. Martin stated that no further information had been provided by City Council and the decision was made by the ACSA Board to write a letter to the City concerning the status of the MOU. At this time he was not certain if ACSA had received a response to the letter written by its legal counsel concerning the MOU.

Mr. Gaffney thanked Ms. Mooney and Mr. Martin for their comments.

5.0 Consent Agenda

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

- 5a) Staff Report on Finance
- 5b) Staff Report on Operations
- 5c) Staff Report on On-going Projects
- 5d) Approval of Composting Contract

Mr. Tucker moved that the Board of Directors vote to approve Items 5a), b), c), and d) of the Consent Agenda, seconded by Mr. O'Connell. The motion was approved by a 5 – 0 vote.

6.0 Other Business

In regards to **Item 6a), Presentation of E3 Designation for the Observatory Water Treatment Plant**, Mr. Frederick stated that he was pleased to report that RWSA was receiving an award today from DEQ for environmental excellence and asked Mr. David Atkins, RWSA Environmental and Safety Manager, to introduce the guests in attendance who would present this award.

Mr. Atkins next introduced Ms. Amy Owens, Harrisonburg Regional Director, Ms. Sharon Baxter, Director of Pollution Prevention Programs, and Mr. Keith Boisvert, Pollution Prevention Specialist, all with DEQ, who will be presenting the award of E3 designation to Mr. Randy Jones, Assistant Water Manager, on behalf of the Observatory Water Treatment Plant. Management and staff have worked very hard this year to achieve this award from DEQ on environmental excellence. The goals throughout the Authority are to not only operate more efficiently but also help to “preserve” the environment. He then recognized Ms. Owens for the award presentation.

Ms. Owens stated that she last appeared before this Board about two years ago to present an E3 award to the Moores Creek Wastewater Treatment Plant and was “happy” to be in attendance again for this occasion.

Ms. Owens next provided some background information concerning DEQ's Environmental Excellence Program (VEEP), which promotes the use of an Environmental Management System (EMS) and pollution prevention “as a means to achieve greater environmental quality and improve organizational performance.” The program was based on the “principles of ISO 14001,” which is an international standard originating in Europe. Virginia's VEEP program began about eight years ago and is an example of a successful partnership. In the early 1990's, DEQ partnered with leading companies, citizen groups, and government agencies throughout the Commonwealth to develop the program. Today, there are currently “several hundred” facilities that have either been accepted into the program or have applications pending. Less than “one-fifth” of those facilities have achieved an E3 or E4 level. The VEEP program is now being recognized nationally as a “leading example of how a state can successfully provide incentives and recognition to high-performing facilities to achieve real environmental progress.”

Ms. Owens then stated that the Rivanna Solid Waste Authority (RSWA) has three facilities that were recently accepted into the VEEP program at the E3 level, which include the Ivy Transfer Station, the Paper Sort Facility, and the McIntire Recycling Center. RWSA's South Fork Water Treatment Plant and the Moores Creek Wastewater Treatment Plant were accepted at the E3 level a few years ago. RWSA's Observatory Water Treatment Plant will be awarded the E3 designation at today's meeting.

Ms. Owens further commented that today's ceremony was unique in that both RWSA and RSWA facilities were being recognized for environmental excellence. She stressed that it was important to the Commonwealth that facilities operate not only in compliance with regulations but also in a manner that "reduces the likelihood of adverse environmental impacts." She "applauded" the Authorities' efforts.

Ms. Owens then stated that the Observatory Water Treatment Plant, as well as the Solid Waste facilities, have "instituted" procedures during 2008 to reduce the unnecessary use of paper, raising employee awareness about energy conservation, actively working to reduce the amount of incoming junk mail, and pursuing environmental-friendly purchasing. Other "noteworthy" accomplishments by the Solid Waste facilities included improving trucking efficiency, investigating alternative fuels, increasing fluorescent bulb and solid waste recycling, investigating landfill gas reuse, developing a paint exchange program, and maintaining a "reuse" area available to the public for books. The Observatory Water Treatment Plant made extensive improvements during 2008 by reducing on-site chemical storage, reducing water use through changes in "backwashing" procedures, increasing energy efficiency through boiler and lighting upgrades, as well as implementing operational changes at the facility.

Ms. Owens next congratulated the Solid Waste Authority on its membership in the US Environmental Protection Agency's (US EPA's) Natural Partnership for Environmental Priorities (NPEP). It was a pleasure for VA DEQ and US EPA to recognize voluntary efforts to promote "environmental stewardship."

Ms. Owens further commented that it was "quite extraordinary" for the Commonwealth to have facilities that take a leadership role in its VEEP program. Performance that brings about change in "environmental stewardship" that goes beyond compliance occurs as a result of "very profound institutional and cultural change." VEEP facilities provide leadership to all the facilities in the Commonwealth to "embrace" that change and move the Commonwealth "forward for the next generation." DEQ appreciates and is grateful for Rivanna's continuing efforts to make improvements by adding facilities to the VEEP program.

On behalf of the VA DEQ and the US EPA, Ms. Owens then presented the NPEP plaque, as well as the E3 designation awards for the Ivy Transfer Station, the McIntire Recycling Center, and the Paper Sort Facility, to Mr. Atkins who accepted the awards on behalf of the Solid Waste Authority.

Ms. Owens next presented the E3 Designation award for the Observatory Water Treatment Plant to Mr. Randy Jones, who was representing the Observatory facility.

Ms. Owens concluded by congratulating the Observatory and Solid Waste facilities for their "great job" and encouraged them to "keep up the good work."

Mr. Frederick then added that he was very proud of the employees who were responsible for Rivanna receiving today's awards.

7.0 Other Items from Board/Staff not on the Agenda

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

8.0 Closed Meeting

There was no need for a closed meeting.

9.0 Adjournment

There being no further business, Mr. Tucker moved that the meeting be adjourned, seconded by Ms. Mueller. All members voted aye, and the meeting was adjourned at 2:22 p.m.

Respectfully submitted,

Mr. Robert W. Tucker, Jr.
Secretary-Treasurer