



# RIVANNA WATER & SEWER AUTHORITY

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## RWSA BOARD OF DIRECTORS Minutes of Regular Meeting March 23, 2009

A regular meeting of the Rivanna Water & Sewer Authority (RWSA) Board of Directors was held on Monday, March 23, 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. Chuck Kent, Ms. Mary Knowles, Mr. Cary Lang, Ms. Michelle Simpson, Mr. Justin Weiler, Ms. Jennifer Whitaker, Dr. Robert Wichser, and Mr. Lonnie Wood.

**Also Present:** 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, March 23, 2009 at 2:00 p.m., and he noted that a quorum was present.

### **2.0 Minutes of Previous Board Meeting**

Mr. Frederick noted that after the minutes were provided to the Board, it was brought to staff’s attention that Mr. Chuck Kent should be included in the listing of RWSA staff in attendance at the February 23, 2009 meeting.

**Mr. Tucker moved that the Board of Directors vote to approve the minutes of the regular meeting of the Board held on Monday, February 23, 2009, as amended by Mr. Frederick, seconded by Mr. Fern. The motion was approved by a 5 – 0 vote.**

### **3.0 Executive Director’s Report**

Mr. Frederick reported that RWSA staff met with the Ragged Mountain Dam Expert Panel two weeks ago. He understood from talking to the panel members that the meetings were very productive and “insightful” in helping them become up to date on the project. Staff anticipates reviewing an interim report from the Expert Panel this week, and information will then be made available to the public on those findings.

Mr. Frederick further stated that in response to a request by the Charlottesville City Council at the March 3, 2009 Joint Boards Meeting, staff was working hard to complete a draft Request for Proposal (RFP) for a dredging feasibility study. RWSA intends to publish the RFP as a “draft for review only” at the end of this month, and the RFP will not be released to consultants until further direction is provided by the RWSA Board of Directors.



Mr. Frederick also reported that staff has been working very closely with the Albemarle County Service Authority (ACSA) on ACSA's proposal to build a pump station in the area where US Highway 29 North crosses the North Fork Rivanna River. RWSA operates a small "package" wastewater treatment plant in that area called the Camelot WWTP. ACSA's proposed pump station will serve the same area, and upon its completion will allow the Camelot WWTP to be "decommissioned." In conjunction with this cooperative effort, RWSA has recently received correspondence from Virginia DEQ associated with renewing a discharge permit for the Camelot plant. If RWSA intends to operate the Camelot plant beyond April 15, 2013, the Authority will need to make substantial upgrades to the plant to meet more stringent effluent limits on the flow going to the North Fork Rivanna River. RWSA staff will be seeking a commitment from the ACSA between now and the summer that its pump station will be completed within the DEQ deadline.

Mr. Tucker next asked if RWSA will be able to "salvage" or sell any part of the Camelot plant prior to or after it has been "decommissioned." Mr. Frederick replied that "salvage" may be minimal; a metallurgical analysis was done about three years ago, which suggested that major metal repairs would be required if the Camelot plant were operated beyond 2010 due to corrosion. The plant has been in service since the 1980's and has not had a lot of major maintenance work performed during that time period.

Mr. Fern added that on its current schedule the North Fork Regional Pump Station project will be completed by the ACSA two years prior to the April 15, 2013 deadline.

#### **4.0 Items from the Public**

Dr. Richard Collins, a Charlottesville, Virginia resident, first recognized the presence of Mr. Hawes Spencer at the meeting and congratulated him on being "an award winning journalist" who gained national attention for his coverage of the water supply issue.

Dr. Collins next stated that it is "anticipated that some kind of a dredging study will go forward," and "I heard Mr. Frederick say that he is waiting for further directions." Dr. Collins further commented that he wanted to offer a "perspective that maybe can help us not only get to a better and happier resolution but also perhaps reduce some of the bad feelings among those of us who've been in the midst of this." He then proposed the following:

"Rivanna in our community has clearly shown there is a need for additional water storage. That's a big issue in itself. Many communities will not pass that test or they believe that the demands are not sufficient to justify serious intervention in our water supply either by building dams or by withdrawing waters from important streams. We've got that.

"The second major point is one that was established locally. We want that water to come from within our own source water here within the Rivanna watershed, and we want it to be protected by the legal authorities over land use that our City and our County have. They're not likely to question that. In any case, we need to make sure that is an important part of our study.

“The third part that I think might be worthwhile considering is that much of the disagreement among those who are for this or for that, and there are many of us on multiple points there, is the definitional issues of – What is exactly a safe yield? What exactly has the DEQ nixed? What exactly do we need by Dam Safety? A variety of these issues have divided us not because I think there’s a bad spirit or even malevolence but rather just simply definitional disagreement as to what is it that you think is required or is not allowed. I’m hoping that the dredging study as it goes forward will not depend upon one attorney – your attorney – giving us interpretations of those things, but would rather be some kind of collective joint fact-finding on matters of definition and policy determination with the hope that we will be able to resolve some of the issues that still are outstanding, at the same time reduce some of the bad feelings which currently exist over this issue.”

Ms. Betty Mooney, who resides at 201 Sunset Avenue, Charlottesville, Virginia, next commented that she would not be speaking today about the dredging surveys because “I have had e-mails from the Mayor and the Vice Mayor assuring me that they are going forward and that nothing would happen at Ragged Mountain or anywhere else until they do. So, I think that’s pretty clear to the Board – I know Mr. Frederick’s working on this, and I appreciate that – so I want to move on to my questions about the pipeline.” She further stated that she has been coming to the meetings since December 2008 and has been “asking these same questions, and I haven’t received any answers yet.” She then requested answers to the pipeline questions, copies of which she distributed to the Board members at today’s meeting as well as at the February meeting. Ms. Mooney then referred to Mr. Crutchfield’s article in *The Daily Progress* in which he emphasized “the need to get these questions answered.” She stated that “he was asking many of the same questions I am about the pipeline.” She did not understand “why we’re spending money trying to build a huge new dam at Ragged Mountain until we have the pipeline questions answered because the dam does us no good unless we can build the pipeline.” She further believed that “it seems only prudent and logical and rational to me to answer the pipeline questions first.”

Ms. Mooney next commented that she wanted the Board “to think about an answer” to her question about haven’t we “already put forward money in your budget for the treatment plant that will be dealing with the effluent upgrades that are required by the state – the \$57 million that I’ve seen advertised – has that money been borrowed or committed? – Because my question is do we really need to spend that much money?” She felt that was “a lot of money,” and she further asked the Board to think about “all the phosphorus and nitrogen already in Moores Creek – coming from golf courses and farms and lawns – that water is going down into the Rivanna right now. How much is it going to matter?” She also claimed that “we already have a treatment plant that’s way better than most treatment plants. We’re almost at the level the state is asking for.” Ms. Mooney then asked the following questions: “Do you know how much it would cost to buy credits to bring us up to the state-mandated level versus spending \$57 million? Do you know how much improvement you’re going to get if you upgrade that much, given that Moores Creek has already got all these problems? If you could save money buying credits, couldn’t you put that money to improving – in an education program for suburban lawn owners and golf courses and farmers to improve Moores Creek?” She again requested that the Board “think about this and address these questions - \$57 million is a lot of money.” Ms. Mooney wondered if we were

“really doing the best thing” and suggested that “we just buy these credits and see how much we can save for our community, especially right now where we’re under so much financial stress.” She also commented that she knew “there was matching grants coming from the state about this,” and she inquired if we were “still getting that matching money? Is that still going to come to our community?” Ms. Mooney concluded by stating she would “appreciate some answers to those questions.”

Mr. Gaffney thanked Dr. Collins and Ms. Mooney 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) Canterbury Hills Pump Station Replacement
- 5e) Amendment to Meadow Creek Interceptor Project Design
- 5f) Meadow Creek Interceptor Construction within the Meadow Creek Parkway Project Area
- 5g) KDR Real Estate Services – Meadow Creek Sanitary Sewer Interceptor Upgrade

Mr. Tucker next asked if staff wanted to pull **Item 5e, Amendment to Meadow Creek Interceptor Project Design**, from the Consent Agenda. Mr. Frederick replied that the report has been revised since the Board packets were distributed, and he felt it would be appropriate to discuss this report separately as an Other Business item.

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

## **6.0 Other Business**

In regards to **Item 5e), Amendment to Meadow Creek Interceptor Project Design**

Mr. Frederick recognized Ms. Jennifer Whitaker, RWSA Chief Engineer, who will present this report.

Ms. Whitaker stated that the report before the Board today is supplemental to the report included in their Board package. The report discusses the additional engineering services associated with the proposed landscape design for the Meadow Creek Interceptor and how the project will proceed from its current concept design to an “actual biddable set of documents.”

Ms. Whitaker further reported that RWSA has presented to the property owners, various home owner associations, and the general public a concept landscaping plan that was developed by RWSA consultants, Williamsburg Environmental Group. City Parks staff was “instrumental” in assisting RWSA with the development of this plan and “to a large degree” addressed some of the

issues posed by the property owners. RWSA received “great feedback” on the conceptual plan and now want to ensure that the comments from property owners are incorporated into the construction documents.

Ms. Whitaker then commented that RWSA consultant, Greeley and Hansen, and their sub-consultant, Williamsburg Environmental Group, have been requested to develop a two-phase approach to the development of the final landscaping plan and the bid documents. Phase I involves public interaction, which includes the distribution of individual parcel drawings to each property owner showing a conceptual landscaping plan for their parcel. Each property owner may select the types of vegetation from a “palette of acceptable (sewer safer) trees and shrubs” and can “mark-up” the proposed vegetation layout to reflect their personal preferences. RWSA also anticipates holding several community and home owner association meetings where the consultants will be available to address individual property owner’s questions and concerns. Phase II entails incorporating feedback obtained during the public process into the final landscaping and bidding documents in order to move the Meadow Creek Interceptor project toward construction.

Ms. Whitaker next stated that RWSA is requesting that the Board of Directors authorize the Executive Director to execute a Work Authorization with Greeley and Hansen for additional engineering services associated with the landscape design for the Meadow Creek Interceptor, in an amount not to exceed \$21,580 for Phase I and \$30,715 for Phase II, and authorize the Executive Director to seek additional contingent services if determined necessary, in an amount up to 10%.

Mr. Gaffney then asked Ms. Whitaker if the amount of the projected landscaping budget is known at this time. Ms. Whitaker stated that the estimated \$150,000 budget presented to RWSA for the conceptual plan could vary somewhat during finalization of the plans to address specific property owner and temporary easement access issues as needed.

Mr. O’Connell then inquired if the additional cost was the result of changing the general overall landscaping plan to one that reflects each individual property owner preferences. Ms. Whitaker confirmed that was the current status of the project.

Mr. Fern next questioned if landscaping plan would identify the type of species as well as the number of species for each parcel. Ms. Whitaker responded affirmatively and added that there were six different types of cross sections that were created in concept from which the individual property owners could select, which included variations in forested and vegetation areas based on the profile of the property.

**As there were no further questions or discussion, Mr. O’Connell moved that the Board of Directors vote to authorize the Executive Director to execute a Work Authorization with Greeley and Hansen for additional engineering services associated with the landscape design for the Meadow Creek Interceptor, in an amount not to exceed \$21,580, for Phase I and \$30,715 for Phase II, and authorize the Executive Director to seek additional contingent services if determined necessary, in an amount up to 10%, seconded by Mr. Fern. The motion was approved by 5 – 0 vote.**

**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. Fern moved that the meeting be adjourned, seconded by Mr. Tucker All members voted aye, and the meeting was adjourned at 2:21 p.m.**

Respectfully submitted,

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