

## PULASKI COUNTY PUBLIC SERVICE AUTHORITY MINUTES JULY 19, 2000

At a regular meeting of the Pulaski County Public Service Authority Board of Directors held on Wednesday, July 19, 2000, at 9 a.m. in the First Floor Conference Room of the County Administration Building, in the Town of Pulaski, Virginia, the following members were present: H. W. Huff, Jr., Chairman; J. Mack Baker; Winston Snead; and Archa Vaughan, Jr.; staff members present included Interim County Administrator Peter Huber; County Consultant, Joseph N. Morgan; County Engineer, Ronnie Coake; and Nancy M. Burchett, Management Services Director.

### 1. Memorial Resolution – Carlos Morris

On the motion of Mr. Baker, seconded by Mr. Snead and carried, the Board of Directors adopted the following Memorial Resolution in honor of PSA Board of Directors member Carlos E. Morris, who passed away on July 10, 2000.

#### **RESOLUTION OF APPRECIATION** **CARLOS E. MORRIS**

WHEREAS, Carlos E. Morris served Pulaski County as a civic, business, church and community leader for more than half a century; and

WHEREAS, that service included 20 years of faithful membership on the Pulaski County Public Service Authority; and

WHEREAS, Carlos E. Morris diligently represented the interests of the residents of Fairlawn and the eastern portion of Pulaski County, while at the same time working for improved utility services county-wide; and

WHEREAS, Carlos E. Morris was a peacemaker, always striving for cooperation and harmony, such as in his role as the initial liaison between the Public Service Authority and the Pulaski County Sewerage Authority, and in his later role as a joint member of both authorities; and

WHEREAS, during his service the county benefited by the construction of the Peppers Ferry Regional Wastewater Treatment Authority, the New River Regional Solid Waste Management area, expansion of solid waste collection equipment and personnel, and many miles of new water and sewer utility mains;

NOW THEREFORE, BE IT RESOLVED that the Board of Directors of the Pulaski County Public Service Authority hereby extends its sympathy to the family of Carlos E. Morris over his untimely passing; and

BE IT FURTHER RESOLVED that the text of this resolution be spread upon the minutes of the Pulaski County Public Service Authority this 19<sup>th</sup> day of July, 2000 in permanent testimony to the service of Carlos E. Morris to Pulaski County.

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Voting yes: Mr. Baker, Mr. Snead, Mr. Vaughan and Mr. Huff.

Voting no: none.

2. Citizen Comments

Mr. Stan Moran, developer of the Draper Ridge Subdivision, addressed the Board regarding Item 3d (Draper Ridge Subdivision Water Tank) on the agenda for this meeting.

No further citizen comments were heard at this meeting.

3. Reports from the County Administrator & Staff:

a. Collection Staff Activity:

1. Adjustments

It was moved by Mr. Baker, seconded by Mr. Vaughan and carried, that adjustments totaling \$4,658.04 be approved as submitted.

Voting yes: Mr. Baker, Mr. Snead, Mr. Vaughan and Mr. Huff.

Voting no: none.

2. Inmate Availability Report

The Board reviewed the inmate availability report as prepared by Larry Vest, Sanitation Supervisor.

3. Balance Due Report

A balance due report was not submitted for this meeting of the Board of Directors due to the new billing system implementation.

4. Lien Report

A lien report was also not submitted for this meeting of the Board of Directors due to the new billing system implementation.

5. Collections Report

The Board reviewed the collections report submitted by Larry Vest noting the following special pickup/large items collections as of June 30, 2000: Large Items – 26; Brush – 8; Tires – 2; and Refrigerators – 3.

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6. Refuse Committee Reports

The Board reviewed the minutes of the Refuse Committee Meeting of June 23, 2000.

b. FY 01 Budget Approval

Staff reviewed with the Board of Directors the proposed PSA budget for FY 01. It was noted that the refuse departments had been reorganized to reflect the appropriate cost centers. Staff also reported that the landfill tipping fee would be reduced from \$36.50 to \$31.50 per ton effective July 1, 2000. However, these savings had been used to fund the cost of the three large item capital outlay items and the hauling of the Friends of Claytor Lake debris removal. Further, it was reported that the proposed budget reflected an overall surplus of \$17,980 with revenues estimated at \$5,419,803 and expenditures estimated at \$5,401,823.

Chairman Huff requested that staff include in the FY 01 budget the Volvo waste water treatment plant expansion costs agreed to be reimbursed to Volvo Trucks North America as part of the plant expansion agreement.

On the motion of Mr. Vaughan, seconded by Mr. Baker and carried, the Board of Directors approved the budget as presented by staff with an addition to the budget of \$460,366 for the Volvo sewer treatment plant expansion costs, with this expense to be reflected as a capital expense with reserve funds used to fund said expense.

Voting yes: Mr. Baker, Mr. Snead, Mr. Vaughan and Mr. Huff.

Voting no: none.

c. Billing Services Contract – Town of Pulaski

The Board of Directors reviewed the revised copy of a billing services contract with the Town of Pulaski.

On the motion of Mr. Baker, seconded by Mr. Snead and carried, the Board of Directors approved the following Billing Services Contract with the Town of Pulaski per staff recommendation and authorization Chairman, H. W. Huff, Jr. to execute said agreement:

**CONTRACT FOR BILLING SERVICES**

**I. Preamble**

**WHEREAS**, the Town of Pulaski has a regularly established utility billing system through its Finance Department; and

**WHEREAS**, the Town of Pulaski bills approximately 4,400 water and sewer utility accounts and provides other services on a monthly basis; and

**WHEREAS**, the Pulaski County Public Service Authority is an agency that presently collects and disposes solid waste and refuse from within and without the Town and bills for such service directly to residential, commercial and other customers; and

**WHEREAS**, the Town of Pulaski does desire to assist the Pulaski County Public Service Authority by providing such billing services under certain terms and conditions;

**NOW, THEREFORE** this Agreement is executed this the 19<sup>th</sup> day of July 2000 by and between the Town of Pulaski, hereinafter referred to as "Town", and the Pulaski County Public Service Authority, hereinafter referred to as "PSA", for the consideration expressly set forth in this Agreement as fees to be paid and received by the PSA and Town, respectively, and other good and valuable consideration, including, but not limited to, the mutual covenants, promises and conditions hereinafter set forth, as follows:

**II. Services**

The Town will provide billing services to the PSA for the PSA's customer accounts receiving solid waste pick-up service.

**III. Fees**

The PSA will pay the Town a fixed fee of 5% of PSA refuse and/or solid waste accounts billed by the Town. All fees will be due upon receipt of a bill from the Town to the PSA and shall be at least quarterly (every three months) but not less than quarterly (every three months). Said billing may be more frequent than quarterly at the option of the Town.

#### **IV. Fees for Start-Up Costs**

The PSA shall reimburse up to a maximum of \$2,000 to the Town for all initial expenditures to install, in working order, the PSA solid waste accounts including, but not limited to, computer programming charges, software, supplies, consultations, temporary personnel costs and/or overtime and related expenses. Payment, thereafter, shall be made by the PSA within 10 days of receipt of a bill from the Town.

#### **V. Discretion Over Policy**

The billing of solid waste and/or refuse accounts by the Town shall be governed and/or regulated in the same manner as water and sewer or other utility accounts and other activities of the Town either through ordinance, resolution and/or administrative policies. All such policies shall be in the complete control of and subject to change at the sole discretion of the Town.

#### **VI. PSA Obligations**

1. The PSA shall provide solid waste and/or refuse account billing information by customer to the Town in a format, media or manner determined by the Town.
2. The Pulaski County PSA will provide multiple notices to its customers by direct mail and other forms that it intends to contract for Town services by September 2000 and that the customers will be billed by the Town for solid waste services in the future. Such notices or additional notices shall instruct customers to direct any inquiries about service or about bill amounts to the PSA office for resolution. The Town will not assume responsibility to resolve complaints or answer inquiries about service or bills.
3. The PSA will authorize, in writing, initial accounts to be billed and new accounts by certification to the Town.
4. The PSA will identify, to the Town, a contact person and process wherein litter problems as identified by the Town and as associated with dumpsters or collection points can be remedied in a timely manner.

**VII. Term of Agreement**

The term of this Agreement shall commence upon the date of the first billing for a prior service period and continue until such time as either party cancels the Agreement by 90-days written notice to the other.

**VIII. Miscellaneous Provisions**

The parties do hereby expressly acknowledge that there are no other agreements, verbal or in writing, other than this Agreement and that this Agreement may not be changed unless in writing signed by the parties.

If a Court of competent jurisdiction at any time holds that a portion of this Agreement is invalid, the remainder shall not be affected thereby and shall continue in full force and effect.

The parties acknowledge that they are entering into this Agreement freely and voluntarily and that no coercion, force, pressure or undue influence has been used in the execution of this Agreement, either by the other party hereto or by any other person or persons; that they have ascertained and weighed all facts and circumstances likely to influence their judgment herein; that they have sought or had the opportunity to seek and obtain legal advice independently of each other or have freely waived such opportunity; and that they clearly understand and assent to all provisions hereof. All questions pertinent thereto, have been fully and satisfactorily explained to them; that the settlement embodied in this Agreement is in all respects acceptable to them, and that accordingly they assent to all the provisions hereof.

This Agreement may not be assigned or transferred, by either party without prior written consent of the other.

This Agreement shall be construed according to the laws of the Commonwealth of Virginia.

Voting yes: Mr. Baker, Mr. Snead, Mr. Vaughan and Mr. Huff.

Voting no: none.

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d. Draper Ridge Subdivision Water Tank

Mr. Stan Moran addressed the Board of Directors regarding the above matter. Mr. Moran requested the Board to consider financing the cost of the water tank needed for the additional development at the Draper Ridge Subdivision as outlined by staff.

Chairman Huff advised that the PSA could not provide the up front capital costs to construct the water tank.

On the motion of Mr. Vaughan, seconded by Mr. Baker and carried, the Board of Directors approved the following arrangement for the installation of the water tank at the Draper Ridge Subdivision:

1. Mr. Moran to provide funding for the cost of the construction of the water tank at an estimated cost of \$160,000;
2. Mr. Moran to post a bond suitable to the PSA with a letter of credit or other surety acceptable to the county engineer;
3. PSA to institute the following surcharges to be paid to Mr. Morgan to offset the costs of the tank:
  - a. \$15 per month from the existing 19 homes and any future homes built in the existing or future subdivisions, and an equivalent residential customer surcharge from any commercial user not to exceed 5 or \$75.00 per month served by the tank; and
  - b. \$2,000 per new connection fee.
4. Surcharges end upon payment of debt plus return of 12% interest on the investment by Mr. Moran;
5. PSA to purchase and install fire hydrants in the existing water line; and
6. The financing to be in place within two years or before more than ten additional homes are constructed within the subdivision.

Voting yes: Mr. Baker, Mr. Snead, Mr. Vaughan and Mr. Huff.

Voting no: none.

e. Rockwood Farms (Bell Property) Water & Sewer

Staff reported that the Board of Supervisors had approved a preliminary engineering study of water and sewer extensions to the above area. Further, Draper Aden Associates should complete the study within a month. It was noted that the county would pay for the engineering study.

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f. Water and Sewer Extension Financing

The Board reviewed a listing of projects planned for submission to the Rural Development Offices of the US Department of Agriculture for financing of various water and sewer extensions. Further, the Board approved the estimated amount of \$78,396 to Draper Aden for the Rolling Hills sewer extension engineering.

Staff was requested to add the Eagleview Mobile Home Park to the listing of projects for submission to Rural Development also.

g. Personnel Changes

The Board of Directors reviewed recent personnel changes as reported by Management Services Director, Nancy M. Burchett.

At this time Chairman Huff noted the recent resignation of Joseph N. Morgan as County Administrator. Chairman Huff and other members expressed appreciation to Mr. Morgan for his service to the PSA and to the county.

On the motion of Mr. Baker, seconded by Mr. Snead and carried, the Board of Directors accepted with regret the resignation of Joseph N. Morgan as the PSA Executive Director.

Voting yes: Mr. Baker, Mr. Snead, Mr. Vaughan and Mr. Huff.  
Voting no: none.

On the motion of Mr. Vaughan, seconded by Mr. Baker and carried, the PSA Board of Directors appointed Peter M. Huber as Acting PSA Executive Director.

Voting yes: Mr. Baker, Mr. Snead, Mr. Vaughan and Mr. Huff.  
Voting no: none.

h. PFRWTA Report

Mr. Snead advised that the Peppers Ferry Regional Wastewater Treatment Authority had discussed at the last meeting the construction of storage tanks to be used for excess water. He noted that the Environmental Protection Agency was requesting that the storage tanks be constructed.

i. PCSA Report

Mr. Snead advised of recent problems with the control panel at the Brooklyn sewer pump station.

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j. Informational Items

The following informational items were reviewed by the Board:

1. Eagle View Mobile Home Park Water Services

The Board reviewed correspondence to the Virginia Department of Health from Interim County Administrator, Peter Huber, for grant funding for water services at the Eagle View Mobile Home Park.

2. NRSWMA User Rebate

The Board reviewed correspondence from the New River Resource Authority remitting the monthly user rebate for the month of May 2000 in the amount of \$7,550.12.

3. NRRA Rate for Municipal Solid Waste

Staff confirmed with the New River Resource Authority that the rate for municipal solid waste will reduce from \$36.50 per ton to \$31.50 per ton and the roll off charges will reduce from \$41.50 per ton to \$36.50 per ton effective July 1, 2000.

4. PFRWTA Minutes & Executive Directors Report

The Board reviewed the Pepper's Ferry Regional Wastewater Treatment Authority minutes of May 11, 2000 and the Executive Director's staff report for the month of June 2000.

5. Correspondence to PSA Employee

The Board reviewed correspondence to Mr. David L. Jeter, PSA Refuse employee, from County Administrator, advising of termination of employment and health insurance coverage information.

k. Current Authorized Projects & Items Under Review

The following projects were reported as under review:

1. Cloyd's Mountain Sewer Extension By VDOT
2. New River Industrial Park Water and Sewer Extension
3. Water & Sewer Extension Preliminary Engineering Reports
4. Landings Limited Partnership Water Extension
5. Collier Acres Sewer Extension Study with Commerce Park

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Development

6. Case Knife Road Water Extension Study
7. Gateway Mobile Home Park Water & Sewer Extension Engineering

4. Approval of Minutes of June 12, 2000

It was moved by Mr. Vaughan, seconded by Mr. Snead and carried, that the minutes of June 12, 2000 be approved as presented.

Voting yes: Mr. Baker, Mr. Snead, Mr. Vaughan and Mr. Huff.

Voting no: none.

5. Accounts Payable

It was moved by Mr. Baker, seconded by Mr. Vaughan and carried, that the accounts payable on checks numbered 5928 through 5997 be approved, subject to audit.

Voting yes: Mr. Baker, Mr. Snead, Mr. Vaughan and Mr. Huff.

Voting no: none.

6. Other Matters:

The Board reviewed a payback schedule on the Volvo treatment plant expansion as prepared by Peter Huber. Said schedule reflected the break-even point for the PSA to be about 18 months or August 2000.

Based on the above information, the PSA Board directed staff to release the check regarding this matter and to advise the county attorney that an agreement with Volvo on this matter was not necessary.

The Board also reviewed e-mail relating to a water connection to the Town of Pulaski water line by the outbound truck staging facility of Volvo. Staff was requested to check the 1987 annexation agreement to determine if it was appropriate for the Town to serve this customer and if not, staff was requested to make an evaluation on the cost effectiveness of the PSA serving this connection. Staff was also requested to confirm that the Town of Pulaski would need to request approval from the Board of Supervisors in order to serve this customer.

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7. Adjournment

There being no further business to discuss the Board adjourned. The next regular meeting of the Pulaski County Public Service Authority Board of Directors will be held on Monday, August 14, 2000 at 9:00 a.m. in the County Administration Building, 143 Third Street, N. W. in the Town of Pulaski, Virginia.

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H. W. Huff, Chairman

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J. Mack Baker, Secretary