

PULASKI COUNTY PUBLIC SERVICE AUTHORITY MINUTES

December 9, 2002

At a regular meeting of the Pulaski County Public Service Authority Board of Directors held on Monday, December 9, 2002, at 9:00 a.m. in the Conference Room of the County Administration Building, in the Town of Pulaski, the following members were present: H. W. Huff, Jr., Chairman; Archa Vaughan, Jr.; J. Mack Baker; Winston Snead; and Carl Mathes. Staff members present included: County Administrator, Peter M. Huber; Assistant County Administrator, Nancy M. Burchett; and Ronnie Coake, County Engineer.

1. Citizen Comments:

No citizen comments were heard at this time.

2. Reports from the County Administrator & Staff:

a. Collection Staff Activity

1. Adjustments

On a motion by Mr. Vaughan, seconded by Mr. Mathes, and carried, the Board of Directors approved adjustments in the credit amount of \$3,309.96 per staff recommendation.

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

Voting no: None.

2. Inmate Availability Report

Staff reported the inmate count for the month of November had been two inmates per day.

3. Balance Due Report

The Board reviewed and accepted the balance due report as submitted by staff.

4. Lien Report

The Board reviewed and accepted the lien report as prepared by staff. Said report reflected total liens in the amount of \$369,844.53 as of November 27, 2002.

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5. Work Order Count

Staff reported that there were 11 brush pick-ups, 12 large items, 1 tire and 1 refrigerator requiring pick-up as of December 5, 2002.

b. 2003 Meeting Calendar:

On the motion of Mr. Vaughan, seconded by Mr. Baker and carried, the Board of Directors approved the following recommended revisions to the 2003 PSA meeting calendar:

1. move the Monday, August 11, 2003 meeting back a week to Monday August 18, 2003;
2. move the October, 2003 meeting from Monday, October 13, 2003, Columbus Day, back one week to Monday, October 20, 2003; and
3. move the November, 2003 meeting from November 10, 2003 back one week to Monday, November 17, 2003.

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

Voting no: none.

c. Implementation of Central Mobile Home Park:

Staff recommended the Board adopt the following resolutions as required by Rural Development for the funding of the utility service extensions for Eagleview Mobile Home Park water, Hidden Valley Camping Club water and sewer, Lee Highway Mobile Home Park water and sewer, Mabry Court Mobile Home Park water, Polyester Mobile Home Park water and sewer, and Tiny Town Mobile Home Park water and sewer:

1. Environmental Mitigation Criteria During Construction:

On the motion of Mr. Baker, seconded by Mr. Mathes and carried, the Board of Directors adopted the following resolution pertaining to Environmental Mitigation Criteria:

WHEREAS, the Pulaski County Public Service Authority was formed as a political subdivision to exercise public and essential governmental functions to provide for the public health and welfare of the citizens of Pulaski County; AND

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WHEREAS, it has operated and maintained water systems, sewer systems and refuse and disposal systems within Pulaski County; AND

WHEREAS, the County has been awarded funding from the USDA Rural Development Agency for the construction of the *Pulaski County Central Water & Sewer Project* that includes the following communities: Eagleview Mobile Home Park, Hidden Valley Camping Club, Lee Highway Mobile Home Park, Mabry Court Mobile Home Park, Polyester Park Mobile Home Park, and Tiny Town Mobile Home Park;

NOW BE IT RESOLVED, the Pulaski County Board of Supervisors and the Pulaski County Public Service Authority has agreed to abide by the following environmental mitigation criteria in regards to the construction of the above mentioned project.

- a) While none are anticipated, should the proposal require unavoidable crossings of streams and/or wetlands, the following practices will be used:
 1. Operation of machinery and construction vehicles outside the streambeds or wetlands;
 2. Use of directional drilling from upland locations for the installation of utilities;
 3. The preservation and redistribution of the top 12 inches of trench material removed from a wetland for use as a wetland seed bank and root stock in the excavated area; and
 4. The use of synthetic mats when in-stream work is unavoidable.
- b) Construction impacts will be minimized through adequate and through construction planning and employment of the best management practices.
- c) The contractor will strictly adhere to the requirements outlined in the regulations for the Control and Abatement of Air Pollution as noted in Virginia Administrative Code (VAC) 9 VAC 5-50-80 and 9 VAC 5-50-90, governing abatement of visible emission and fugitive dust emissions; 9 VAC 5-40-5620 and 9 VAC 5-40-5630, which address open burning, and will use sound construction practices during construction.

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- d) Tracer testing will be accomplished to identify groundwater flow paths to streams and springs to ensure more efficient emergency responses to chemical spills.
- e) Strict adherence to an approved Erosion and Sediment Control Plan is required.
- f) Vegetation disturbance and mechanical disturbance of the soil, maintaining suitable vegetation on erodible surfaces, with the least possible change in slope, is required.
- g) Drainage patterns and stream channel sizes in the right-of-way will be kept as natural as possible during construction activities.
- h) Use of design and construction practices proven safe for karst must be applied during the construction period.
- i) An inspection program will be established so that leaks can be identified immediately.
- j) The project will be designed to reduce the probability of rupture to near zero.
- k) Should the extent of the project locations change, the County must contact USDA Rural Development for further information and coordination.
- l) A survey will be completed for the smoother coneflower in areas with appropriate habitat, with the results sent to the U. S. Fish and Wildlife Service for comments.
- m) The selected surveyor qualifications must be submitted to the U. S. Fish and Wildlife Service for approval, allowing a minimum of 30 days response time prior to fieldwork being started.
- n) All surveys must be finalized, forwarded to the U. S. Fish and Wildlife Service, and their comments implemented prior to construction activities taking place.
- o) Coordination will continue with Department of Game and Inland Fisheries for the protection of the anadromous fish spawning in Claytor Lake near the Hidden Valley project site.

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- p) Construction activities in the project corridor must have the following accomplished:
 - 1. Be evaluated for the presence of other karst features prior to the start of the construction activities.
 - 2. Crossing of sinkholes will be avoided.
 - 3. Blasting will be avoided as will constructing any hydrological modifications in the project area. If blasting cannot be avoided, contact will be made with the Department of Mines, Minerals, and Energy for coordination prior to the activities taking place.
 - 4. The filling of sinkholes will be minimized but, when necessary, will be carefully planned to avoid blocking the natural recharge and flow patterns of karst aquifers. If it is necessary to fill a sinkhole or an area that has subsided during construction, graded rock will be used rather than soil fill or grout. Prior to filling sinkholes, the Virginia Cave Board will be contacted to obtain compliance with the Cave Protection Act (which prohibits the destruction or alteration of cave surfaces and cave biota).

- q) Should unanticipated archeological evidence be discovered, work will cease immediately and Rural Development and the Virginia State Historic Preservation Officer will be contacted. Work will not continue until clearance has been obtained from Rural Development and the Virginia State Historic Preservation Officer.

- r) Restoration to original contour and revegetation of the construction site will be accomplished immediately upon completion of construction activities.

- s) Clearing and land-disturbing activities will be limited to the minimum area required for construction and maintenance of the proposed water and sewer lines.

- t) If project plans are modified subsequent to this date, contact will be made with all agencies involved in reporting on impacts in the environmental report to ensure modifications will have no impacts on projected resources in the area.

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- u) The contractor must comply with the Virginia Department of Transportation (VDOT) traffic control and flagging requirements.
- v) Construction activities will take place during normal business hours 7 a.m. to 6 p.m., Monday through Friday, except during emergency situations.

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

Voting no: none.

2. Rate Revisions:

On the motion of Mr. Vaughan, seconded by Mr. Mathes and carried, the Board of Directors approved the following resolution regarding rate revisions:

WHEREAS, the Pulaski County Public Service Authority was formed as a political subdivision to exercise public and essential governmental functions to provide for the public health and welfare of the citizens of Pulaski County; and

WHEREAS, it has operated and maintained water systems, sewer systems and refuse and disposal systems within Pulaski County; and

WHEREAS, the County has been awarded funding from the USDA Rural Development Agency for the construction of the *Pulaski County Central Water & Sewer Project* that includes the following communities; Eagleview Mobile Home Park, Hidden Valley Camping Club, Lee Highway Mobile Home Park, Mabry Court Mobile Home Park, Polyester Park Mobile Home Park and Tiny Town Mobile Home Park;

NOW BE IT RESOLVED, the Pulaski County Public Service Authority agrees to consider for adoption the following rates for the above mentioned project at a future public hearing by the Public Service Authority:

Water Rates:

\$15.75 base rate (first 2000 gallons)

\$ 2.50 per 1000 gallons over the base.

Sewer Rates:

\$20.00 base rate (first 2000 gallons)

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\$ 3.00 per 1000 gallons over the base.

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

Voting no: none.

d. Operational Agreement Between Board of Supervisors and PSA:

On the motion of Mr. Vaughan, seconded by Mr. Mathes and carried, the Board of Directors approved the following operational agreement between the PSA and the Board of Supervisors:

WHEREAS, the Pulaski County Public Service Authority was formed as a political subdivision to exercise public and essential governmental functions to provide for the public health and welfare of the citizens of Pulaski County; and

WHEREAS, it has operated and maintained water systems, sewer systems and refuse and disposal systems within Pulaski County; and

WHEREAS, for the mutual benefit of the Authority and the County, the parties wish to enter into an Operating Agreement to further define their roles and relationships;

NOW, THEREFORE, THIS OPERATING AGREEMENT made and entered into this 9th day of December, 2002, by and between the PULASKI COUNTY PUBLIC SERVICE AUTHORITY, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as the "Authority", and the BOARD OF SUPERVISORS OF PULASKI COUNTY, VIRGINIA, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as the "County".

WITNESSETH:

THAT FOR and in consideration of the mutual terms and conditions set forth herein, the parties agree as follows:

1. This agreement shall be governed by the standards set forth in the Virginia Water and Sewer Authorities Act.
2. Specific projects which will be operating by the Authority include: Brookmont Water System, Shrader Hill Water System, Pond Lick Hollow/Route 660 Water System, New River Sewer System, State Park Sewer System (when completed), Cloyd's Mountain Sewer System

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(when completed), and any additional systems which may be financed by the Board in the future.

3. The Authority shall be responsible for the following:
 - a. The operation of the County's water treatment plant and the sale and distribution of potable water throughout the County;
 - b. The collection of sewerage in Pulaski County and transmission of waste water and sewerage to Pepper's Ferry Wastewater Treatment Authority. The purchase of sewerage treatment services from Pepper's Ferry Wastewater Treatment Authority. The collection of solid waste and the transportation of the same to the facilities of the New River Resource Authority;
 - c. Participation as a member in both the Pepper's Ferry Wastewater Treatment Authority and the New River Resource Authority;
 - d. Operation and maintenance of utility lines;
 - e. Payment of all bills and collection of all revenue generated by the respective water, sewer and garbage systems;
 - f. Establishment of fees commensurate with expenses related to the respective systems;
 - g. Setting aside of debt reserve amounts as may be required by the lending institutions, financing Authority projects;
 - h. Any other operational responsibilities which may be required for the maintenance and operation of the respective systems; and
 - i. Such other governmental functions authorized by the Code of Virginia.

4. The County shall remain responsible for any financial shortfall which may occur from time to time.

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

Voting no: none.

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e. PSA Policy on Temporary Occupation:

Staff reviewed with the Board the PSA policy regarding refuse collection billing to partial year occupancy dwellings. This policy being that all households are charged for garbage services unless there is clear evidence the house is vacant, with individuals having two houses within Pulaski County only charged one refuse service bill. Thus, an individual living in another county and owning a second home in Pulaski County would be charged for the second home unless the home were vacant as documented by electric billing cut off, water meter cutoff or other independent means of documentation.

The Board directed staff to send Sam Crockett, an individual that appeared before the Board at their last meeting, a copy of the above noted policy.

f. Billing for Apartment Units:

The Board met with Attorney Sam Campbell regarding the billing and collection of several delinquent apartment units located in the Town of Pulaski. Mr. Campbell recommended the following regarding the delinquent accounts of Ima Wallace:

Authorize Mr. Campbell to send a letter to the mortgagees and advise of PSA lien for public utilities services and intention of PSA to enforce the lien; send a letter to the remainderment owners of the property, Thomas & William Wallace, regarding the delinquency and lien; then possibly pursue legal action to collect delinquency.

Mr. Campbell stressed the importance of PSA staff, when placing a lien, to name all parties that are listed on the real estate records as owners. He further emphasized taking liens or other enforcement action once an account is 60 days delinquent and suggested refuse service be cut off after three months delinquency.

The Board also discussed with staff and Mr. Campbell the delinquent account of Emory Beardon, another apartment complex located in the Town of Pulaski.

On the motion of Mr. Mathes, seconded by Mr. Baker and carried, the Board of Directors authorized Mr. Campbell to proceed with the above recommended action on the Ima Wallace delinquent account, and to research the delinquent account of Emory Beardon and proceed with whatever action may be necessary to collect on this account.

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

Voting no: none.

g. Informational Items:

1. Personnel Changes:

The Board reviewed personnel changes as reported by Nancy M. Burchett, Assistant County Administrator.

2. Indoor Plumbing Rehabilitation Program Administration:

Staff reported the Board of Supervisors approved moving the administration of the Indoor Plumbing Rehabilitation Program for the New River Valley Planning District Commission to the Southeast Regional Community Assistance Program in Roanoke.

3. Employee Christmas Breakfast:

The Board members were reminded of the annual employee Christmas Breakfast that had recently been postponed due to weather to Friday, December 13, 2002 at the Bob White Boulevard Church of God, Family Life Center.

h. Current Authorized Projects & Items Under Review:

The following projects were reported to be under review:

1. Cloyd's Mountain Sewer Extension by VDOT
2. New River Industrial Park Sewer Pump Station
3. Water & Sewer Extensions Preliminary Engineering Reports
4. Collier Acres Sewer Extension with Commerce Park Development
5. Gateway Mobile Home Park Water & Sewer Extension Engineering
6. Water Hydrant Flushing

3. Approval of November 18, 2002 Minutes

On the motion of Mr. Baker, seconded by Mr. Vaughan and carried, the Board of Directors approved the minutes of the November 18, 2002 meeting.

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

Voting no: None.

4. Accounts Payable

On the motion of Mr. Vaughan, seconded by Mr. Mathes and carried, the Board of Directors approved the accounts payable listing for checks numbered 8911 through 8986, subject to audit.

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

Voting no: None.

5. Other Matters:

On the motion of Mr. Mathes, seconded by Mr. Vaughan and carried, the Board of Directors authorized staff to open an account with First National Bank of Christiansburg, Dublin, Virginia, and further approved the following resolution:

BE IT RESOLVED THAT First National Bank of Christiansburg, Dublin, Virginia is designated as a depository for certain funds of the Public Service Authority.

This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by First National Bank of Christiansburg.

All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowing by or on behalf of the Public Service Authority with the First National Bank of Christiansburg prior to the adoption of this resolution are hereby ratified, approved and confirmed.

Any of the persons named below, so long as they act in a representative capacity as agents of this corporation, are authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated below, from time to time with First National Bank of Christiansburg, concerning funds deposited, moneys borrowed or any other business transacted by and between the Public Service Authority and the First National Bank of Christiansburg subject to any restrictions stated below.

Any and all prior resolutions by the Board of Directors of the Pulaski County Public Service Authority and certified to the First National Bank of Christiansburg as governing the operation of the Public Service Authority's account(s), are in full force and effect unless supplemented or modified by this authorization.

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The Public Service Authority agrees to the terms and conditions of any account agreement, properly opened by any authorized representative(s) of the Public Service Authority, and authorizes the First National Bank of Christiansburg, at any time, to charge the Public Service Authority for all checks, drafts or other orders, for the payment of money, that are drawn on the First National Bank of Christiansburg, regardless of by whom or by what means the facsimile signature(s) may have been affixed so long as they resemble the facsimile signature specimens as listed below.

The following persons listed are hereby authorized to open any deposit or checking account(s) in the name of the Public Service Authority and to endorse checks and orders for the payment of money and withdraw funds on deposit with the First National Bank of Christiansburg:

H. W. Huff, Jr., Chairman, Pulaski County Public Service Authority
J. Mack Baker, Treasurer/Secretary, Pulaski County Public Service Authority
Peter M. Huber, Executive Director, Pulaski County Public Service Authority

FURTHER, the Board of Directors has, and at the time of adoption of this resolution, had full power and lawful authority to adopt the foregoing resolution and to confer the powers granted to the persons name who have full power and lawful authority to exercise the same.

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

Voting no: none.

6. Adjournment

There being no further business to discuss, the meeting was adjourned. The next regular meeting of the Pulaski County Public Service Authority Board of Directors was scheduled for Monday, January 13, 2003 at 9:00 a.m. at the County Administration Building, 143 Third Street, NW, in the Town of Pulaski, Virginia.

H. W. Huff, Jr., Chairman

J. Mack Baker, Secretary