

**WSA BOARD / BOARD OF SUPERVISORS
LIAISON COMMITTEE MEETING
April 30, 2019
MEETING MINUTES**

The meeting was called to order at 11:20 a.m. at the Fauquier County Water and Sanitation Authority Conference Room, 7172 Kennedy Road, Warrenton, Virginia.

Board of Supervisors (BOS):

Rick Gerhardt	Chair
Mary Leigh McDaniel	Vice Chair

Authority Board:

Michael J. Focazio	Chair
William Downey	Vice Chair

County Staff:

Paul McCulla	County Administrator
Holly Meade	Director, Community Development
Amy Rogers	Chief, Zoning & Development Services

WSA Staff:

Benjamin R. Shoemaker	Executive Director
Cheryl St. Amant	Associate Executive Director
Debbie Whitley	Finance Director
Ck Chan	Executive Assistant & Clerk to the Board

Guests:

Hank Day	Authority's Local Counsel
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1. Mr. McCulla called the meeting to order.

2. Approval of Agenda:

Without objection, the agenda was approved with one addition, the discussion on the Midland PER.

3. Approval of the Minutes for December 11, 2018 and January 30, 2019:

Without objection, the minutes of the December 11, 2018 and January 30, 2019 meetings were approved as published.

4. **Rock Springs Subdivision – Public Sewer Service:**

Mr. Downey provided an update on the failing septic situation at Rock Springs Subdivision in New Baltimore. The subdivision is over 50 years old and experiencing drainfield failure, ground surface stress from effluent coming to the surface and leaking to the ground. WSA provides water to the subdivision. Mr. Downey indicated that he is not requesting the County to act at this time but to be aware of the matter and that it will need a Comprehensive Plan amendment at the County level to change the New Baltimore Service District Comprehensive Plan, if that is ever to be included in a sewer overlay. He added that it is a serious public welfare, health and safety issue.

In response to Mr. Gerhardt, Ms. Meade indicated that the next Comprehensive Plan is not due till July, but the Board has the option to make amendments at any time.

Mr. McCulla commented that this is a fixable issue with connection to the nearby sewer system. Ms. McDaniel opined that from the economics standpoint, remedy should be sought sooner rather than later. Mr. Shoemaker indicated the risk moving forward will be when residents had performed on-site repairs at their own expense, they will then have no incentive to help/participate in any global or combined solutions. Mr. McCulla added this is a political issue in the magisterial district. He echoed Mr. Shoemaker's take and there may be others whose systems work just fine and attempting to put a tax on everyone would result in some irate residents. In addition, the ability to tax may not be enough to pay for the cost and if the County will have to allocate funds to help to resolve the matter over and above what are collected in taxes.

Mr. Focazio reiterated Mr. Downey's take on this being a public health issue. Resonating with the Authority moving forward with strategic planning, its decisions are driven by obligations to the public in terms of health. He understands that the County will have to get on with the Comprehensive Plan, then looking at the cost and other details.

In response to Mr. Gerhardt's inquiry on the number of septic failures, Mr. Shoemaker indicated that he does not have any statistics on same. He added that a local newspaper had contacted him, and he expected another soon. He indicated that the newspaper has not published anything on the matter thus far.

With regards to the WSA water customers in this community, Mr. Downey suggested the sending out of a survey with the monthly billings. Mr. McCulla suggested disseminating some literature to residents if they will be interested in some public sewer system resolution.

Mr. McCulla asked if Ms. Meade can inquire with the local health department if they have any active cases on the matter. Ms. Meade indicated that she will be able to pull some useful data from a previously conducted study on an unrelated matter.

Mr. Downey indicated that this matter could certainly proceed to the other older subdivisions who are currently only water customers. In response to Ms. McDaniel, he added that whatever to be done should be for the best interest of the County and what the Board of Supervisors is comfortable doing. He indicated that could be building capacity in pumping stations serving the area and staying within the limits of the existing service district. Mr. Shoemaker suggested as an initial analysis, the identification of limiting factors and available resources. He added that available resources have a symbiotic relationship with policy-making.

5. Vint Hill Water and Wastewater Systems Update:

Mr. Downey informed the committee that a second/follow-up community meeting is scheduled on May 8 and all are welcome to attend. The system is owned by Buckland Water and Sanitation Authority (BWSA) and WSA has expressed interest in the ownership of the water system. There are 4 active wells and a recent well has showed an elevated level of arsenic but not above the EPA limits of 10 ppb.

Mr. Shoemaker indicated that WSA is contracted to operate the system and handles all billing. WSA provides sewer services to the area. He added that the quality of water meets all regulatory requirements.

Mr. Downey indicated that in the first community meeting held in November 2018, the quality of water and other concerns were addressed. Following the meeting various tests were performed, and data ran through DEQ. There have been some rumors surrounding the quality of water and incidence of cancer, of which had been totally disproven. The matter had since reached the two Virginia Senators, Delegate Guzman, and the residents are responding to the concerns. He hoped that the May 8 meeting will provide a conclusion to the matter. He was informed that the media as well as state officials have been invited to the meeting.

Mr. Downey indicated that there is no secret to WSA's intention to acquire BWSA's water system but with its obligation to the rate payers, WSA cannot acquire a system if it will be inequitable to the rate-payers.

6. Midlands PER:

Mr. Shoemaker indicated that he has received a task order from one of the consultants and would like to review same with the County to be sure of the deliverables and providing the

required services before he signs off on same. Mr. McCulla indicated that he is interested in the cost and will be able to review the order with Mr. Shoemaker.

Mr. McCulla provided an update on the water perspective in Midland.

Mr. McCulla also updated the Committee on his discussion with Mr. Emery on two matters:

(1) the well at Northern Sports Complex, which the Board of Supervisors had wanted to be tested for its pumping capacity, draw down, and water quality, and

(2) Mr. Emery is to come back with his scope to begin the concept of well-head protection and his reasoning that the first few wells should be the ones in New Baltimore, as opposed to the ones at Marshall. Mr. McCulla added that he will be checking on available funds for this to move forward.

In response to Mr. Downey, Mr. McCulla indicated that the Board of Supervisors is on board with Mr. Emery's presentation/recommendations and ready to move forward. In response to Mr. Focazio, Mr. McCulla envisioned this will be a "to-do" project versus a PER, and basically, with recommendations by Mr. Emery, WSA and the County Board will determine which of the wells will be picked first for monitoring, and to provide the basis for such a determination. To another question from Mr. Focazio, Mr. McCulla indicated that it will be a significant cost over a multiple-year period. However, he opined that it may not be necessary to purchase easements and/or protecting particular pieces of land as it can be potentially more legislative in nature. He added that with the identification of the particular well for protection, the appropriate overlay district in the zoning ordinance is put in place which requires special exception for that particular type of use.

Mr. McCulla indicated that the Board of Supervisors must make the call, guided by discussions, if to move forward towards ordinance (changes to zoning ordinance) versus sending pamphlets to residents (non-ordinance standpoint). He reiterated the concept, with the 40-plus WSA wells, it is unachievable in work-scope in a short period of time and certainly financially unachievable. However, he added that identifying and working on one or two wells in a year can certainly move the plan forward. Mr. McCulla indicated that when WSA is next looking for a new well, it will be necessary to have discussions ahead of time on avenues to protect and the need to create overlay districts.

In response to Mr. Shoemaker on test wells and ownership/access rights, Mr. McCulla indicated that it has not been the County's business to own wells. He added that there are two components, (1) funds to monitor the wells and (2) ownership of the wells. He added that it is still a debatable/discussable issue on who will be paying for the installation of the monitoring systems and the cost of monitoring wells that belong to WSA. As he had indicated before, subject to verification, the County has allocated Two Million Dollars

(\$2M) for Marshall CIP on water issues and if such, there may be available funds for this endeavor.

Mr. Focazio indicated that with current negotiations with Van Metre, it may an idea to have them to do recharge areas since they are performing pump and quality testing. Mr. McCulla indicated that should Van Metre be slightly reluctant to do that, subject to his verification on fund availability, the County may be able to pay for part of it so that Van Metre does not have to bear the full cost.

7. Next Meeting:

Mr. McCulla indicated that the next meeting is tentatively set on June 18, 2019 at 11 a.m., subject to availability of all members.

Without objection, the meeting was adjourned at 12:15 p.m.