

Vienna Utility Board
210 60th Street
Vienna, WV 26105
Regular Meeting
January 15, 2021

Public Forum: No Sign - ups

The meeting was called to order at 1:05 PM with the Pledge of Allegiance.

Roll call was taken with the following present:

Randall Rapp, John Barr, Steve Eaton, Joseph Thorpe, and Attorney Russ Skogstad.

Also, present: Craig Metz Public Works Director, Lorrie Bond Stormwater Coordinator / Program Administrator, Craig Richards, and Mike Davis from Burgess & Niple

Minutes from the December 18, 2020 Regular VUB Board Meeting were approved as presented and posted.

Unfinished Business:

- A. Stormwater Management Program:** Per Chairman Rapp, according to WVMWQA meeting yesterday, we were advised that the new Stormwater Permit will be issued as of February 11, 2021. We know they are about 2 years behind on getting the new permits out, so we will keep an eye on the progress and to see if it will be issued by the date given.
- B. Water Quality Testing –** Per Craig Metz latest results came back as Non – Detects as expected. GAC filters are working great.

** Chairman Rapp wanted to mention that after our last meeting we had regarding all the tasks orders, he did confirm with Finance Director, Amy Roberts that the bond ratio is very strong, so we are going ahead with the Stormwater Plan. Just wanted to advise everyone that we are moving forward on this. Randy asked Craig Richards to speak briefly. Per Craig Richards, we do have a few things started, not a whole lot considering not much time has passed since the meeting we just had, getting approval through finance department, and getting tasks orders signed until now. We are getting geared up to start the survey on the Pond Run Dredging within the next few weeks. Regarding the Water System report, we have not started anything on this as of yet. As far as the Sanitary Sewer Wastewater System, we are meeting Tuesday to get all the videos and we do have all the flow meter data we did a few years ago. We think we have everything we need to get moving on this. Then onto the Stormwater Master Plan, Mike Davis and I think the best thing is to start with identifying the biggest problem areas. The first steps associated with this will be associated with public participation. This is as far as we have gotten on this.

Per Chairman Rapp, if you are available on the 28th, I would like to put these tasks orders on the agenda for City Council and have you explain primarily the stormwater project on 28th Street and go through the steps we will be taking on that project. We can discuss all the task orders, but I would like to inform everyone because we have a lot of issues regarding stormwater on 28thSt. We will give them a heads up about what the study is going to tell us hopefully. Craig Richards advised he would be able to do this and advise council on what the task orders will encompass and what some of the projects are going to be. Chairman Rapp advised that would be great and it would be added to the agenda for the 28th to discuss. Chairman Rapp also advised that we may need Burgess & Niples assistance on the new Lead and Copper Regulations. So, if next meeting we could put on the agenda to have someone go over this new program so we can be up to speed on this. He asked Lorrie Bond to add this to the agenda for the next Utility Board meeting.

Lorrie advised she would add. Rapp also advised that we have asked Craig Metz to go out for bid on a new street sweeper. We have no idea what the costs will be. We did have 2 sweepers at one time, one is working the other is being using for scrap parts. Mr. Metz added that last about 8 years on average, the only one we have now in working service is 14 years old. It is due to be replaced.

New Business: No new business to report at this time.

Manager's Report: Per Craig Metz, just a couple of things, we have had a lot of service line leaks, no main breaks, and no frozen lines. He was just talking to the guys about normally this time of year we have had to call residents to have them start dripping their lines so not to freeze and we have been lucky we have not had to do this yet. We are starting a project next week at well fields 11 – 14, we had some corrosion issues 2 of the buildings where the chemicals are stored. We have had to replace some bolts that had rusted, and check valves needed replaced as well. We also are installing a 12-inch check valve outside the building. The cost of just the 12-inch check valve and fittings was approx. \$3,700, the 2 check valves were approx. \$1,800. The kicker is the bolts we had to order had to be corrosion resistant, this came to approx. \$600, plus 2 days of work. This just gives you an idea of the costs we deal with when things come up that must be fixed.

Rapp added, you know the last year we have been working with Boaz Public Service District on that water shortage. The Public Service Commission did advise them to repay us. When we first started out the payments were \$2,200 per month. Going over the fine print in the Public Service Commission Order they are required to us 6.5% of whatever their revenue is. So, it varies based on usage. Due to wintertime not as much water is being used, but come summer when water usage picks up, that percentage will get us a larger payment. They are still on an 18-month repayment agreement, so we are in good shape there. We also got some good news regarding Bond ratios on the water tanks.

Through one of our financing sides, we had some excess money left over and they can rearrange this through the bank. We have applied all the excess money to the principal and so to reduce the bond on the tanks by \$100,000. So now, the bond that we have on the water tanks will pay itself out by 2023. The bond when issued for the tanks was in excess of \$1 million dollars, I believe it is now down to \$230,000. So, I wanted to commend Amy Roberts on this, she is a visionary and knows how to get things done, so great job to her. One last thing, I am sure most of you read in the paper this morning, there was an issue at City Council that requires City Council approval when we appoint someone to fill a slot on the Utility Board. When Bruce Rogers Council term expired, Bruce was then taken off the Utility Board. We must fill the slot with a representative from Council. The Council person I recommended was Jim Leach. Jim has absolutely spectacular knowledge and credentials, but Council did not vote it that way. So, we still must nominate someone to fill the position on the board and so at this point we will just operate with a 4-man board, then we will fill that slot hopefully very quickly. This was councils wish so we will find a way to go a different direction.

Attorney Russ Skogstad added that during the meeting he asked Mr. Leach to recuse himself from participating in the vote. My justification, to be blunt, I did not feel that a person should be voting for a position they would be taking and considering, even though the sum is very nominal, you did get paid \$50 as a Board member to attend meetings. So, after the meeting I asked for an informal advisory opinion, opposed to formal advisory opinions, due to an informal advisory opinion are a lot quicker in their returns. The reason is a formal advisory we would have to have agenda, meet, and issue a formal opinion and that could take some time. And I wanted to have an answer before the January 20 council meeting. In Short, I sent an email laying out the basics on how the procedures work and so forth. I asked essentially, is it a violation for a sitting council member, 1. To participate in the discussion for the vote, and 2. To participate in a vote that would see that council member appointed to Utility Board and receive \$50 in compensation. I also asked would they be allowed to vote in a council meeting if the council member chose to forego compensation in order to participate as a member on the Utility Board. They sent me a 2014 advisory opinion and they essentially stated, Dear Russ, I agree with your decision to ask the council member to recuse himself / herself from voting on the appointment because it is a compensated position, I am attaching advisory position 2014 and this is the basis of my opinion. The only reason I bring this up is, I do not know how that is going to affect a person being appointed to the Utility Board because, I cannot predict what the votes are going to be. I just hope the council members can figure out who it is they want to sit on the Utility Board and

go from there. Just so you know the advisory opinion is out there, the informal opinion has been sent to me. I plan on writing a memo to the Council Members, so they all have that and hopefully we will not have to wait forever to fill that position. Rapp asked if any questions. There were no questions for Russ.

Board Comments: No Board Comments

Meeting adjourned at 1:32 PM.

Next regular meeting – Friday March 19, 2021 @ 1:00 PM @ 60th Street VUB location.

Respectfully submitted,

Lorrie Bond