

**Vienna Utility Board**  
210 60<sup>th</sup> Street, Vienna, WV 26105  
**Regular Utility Board Session**  
**Meeting location Vienna Utility Board**  
210 60<sup>th</sup> Street Vienna, WV 26105

May 19, 2022

**Public Forum:**

The meeting was called to order at 1:00 PM with the Pledge of Allegiance.

Roll call was taken with the following present:

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

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

Minutes from the April 14, 2022, Regular VUB Board Meeting were approved as posted.

**Unfinished Business:**

- A. **Water Quality Testing** – Per Craig Metz, last results we received came back clean everything looks good.
- B. **ARP Discussion** - Per Chairman Rapp advised that the state had released the second batch of money, he asked Amy Roberts when we should expect our second half, Amy thinks we should receive by the 1<sup>st</sup> of June or by the end of May. Kim Williams asked what the amount was we are expecting, Amy stated she believes it is the same amount as we got last year, approx. \$1.3 million.
- C. **5 – Year Plan** – Per Chairman Rapp, are there any corrections, additions, or suggestions anyone would like to add to the 5 – year plan at this point? No suggestions, additions, or comments from board on this.
- D. **Burgess & Niple – River Road Water Main – Project Update** – Per Craig Metz, contractor has signed contract, they will begin work on the project approx. the second week of June, there are issues with a few fittings they are having trouble obtaining. The cost of different fittings would be an additional amount of approx. \$1,000. I did not get approval on that yet, if we follow the bid specs it could up to an additional 26 weeks for the stainless steel. We may have to find an alternative, talked to Lise Sibiky said we could use brass couplings. Lise advised that there could be an issue with availability on the alternative fittings. Metz advised he sent emails to six of our different distributors to see what their time frame was, they are all running the same time frame. Rapp asked if there was something unique about these fittings that makes them so difficult to obtain. Metz stated the only thing he could think of is they are 12” which makes smaller tap off the pipe. Rapp asked if we could not reach out to the Water Quality Association to see if any of our neighboring cities have any of these items we need. Metz stated we could, but he does not think anyone wants to let go of any inventory they have since there is a shortage and issue with getting parts.
- E. **Burgess & Niple – 45<sup>th</sup> Place Water Main Replacement – Project Update** – Metz provided presentation to board on this update. We had surveyors come out to review the lots to find utility locations etc. there are some issues. Right now, the current sewer line comes under the corner of a home and comes out across two other properties that we do not have the right – of – ways for. Also, the water line comes of the subdivision to the south and to the west, crosses one property, that we again have no right of ways to. We are going to have a hold up

on the project due to me just getting the right – of – way information today, which I will forward to Russ. We will have to contact the residence about acquiring the right – of – ways, the water line does still exist there. This water line comes off 3<sup>rd</sup> Avenue comes through the subdivision at Rivercrest, comes over and cuts through 45<sup>th</sup> Place and comes back to the same point. There are two right of ways we do not have. When this subdivision was built, it was done without acquiring any right – of – ways, which we will now have to obtain. Metz advised Lise Sibiky to go ahead and proceed with our engineering design. Metz stated he was not sure what the legalities are since there is an existing line at this location. Russ asked if the question was can, we use the location where we already have the existing line. Russ stated that it depends, how long has the water line been in place? Metz advised approx. 26 years. Russ said yes, it is possible you could continue to use the water line that you have, there may be some things we have to assess, but generally speaking you have what is called easement by prescription where these types of lines have been in place for a number of years. There is also adverse possession or eminent domain. But honestly it would easier to go to the property owners and get permission for the new right – of – ways. Metz advised that is what we need to do is get right – of – ways from the residence for both water and sewer lines. Kim Williams asked what the timeline on getting these easements would be, Metz said that would be up to Russ. Russ advised it would take him no time to prepare the easements the time issue would be getting a survey and have property descriptions. The other hard part is getting in contact with all the property owners and getting their permission. Russ also advised that this would have to go through council and would have to check on how many meetings it would take 1 or 2. If we are purchasing the property it may be 2 meetings if it a donation of real property he believes only 1 meeting is required. He will check on this. Williams asked if there was a hold out, what is the process in this case. Russ said it would depend on where the hold up is regarding where they live. If it gets to that point, it could take a substantial amount of time, could be 7 months or longer. Russ stated that if we have no issues, it could be done soon, but that is where we are now. Metz said he will advise surveyors to go ahead and prepare plats, he will get them to Russ, and we can start to get them written up.

- F. Burgess & Niple – Water & Wastewater System Improvements Project** – Per Mike Davis we are still waiting to hear back from Michael Griffith. Rapp advised we are almost ready to give him our part of the information he needs which should be within the next few weeks, so he will have everything he needs.
- G. Burgess & Niple – Dredging of Pond Run and Dry Dams**– Per Metz we have no more information on this item at this time. Rapp advised that we have still not been turned down on the money that we requested. We do not know where we are in this process at this time funding wise. At some point a decision will be made. Metz advised we do have an inspection with the Soil Conservation next week, hopefully the will come back with a report that it does need dredged and cleaned and this could help with funding. Rapp asked if we know who owns the dry dam. Metz stated that as far as he knows it is in the Soil Conservations name, he has never seen the deeds in the City of Vienna’s name. Rapp stated that he received a letter from Ms. Riccobene, she is under the impression that it is owned by a foundation. Metz said he does not think it is owned by a foundation it is either the Soil Conservation or us, he advised if you look up the plat it does say it is owned by the Soil Conservation. But he will check into this. Rapp stated the reason this has come about is because there is a plan that has come about to put a roadway through this area. We cannot have a roadway through our dam or McDonough Park, but if we do not own it or have rights to these properties, we really have no say, and this could be a big problem. So, we need to check into this.

**New Business:**

- A. Budget Discussion – Approval** – Per Amy Roberts, starting with the water fund budget, it includes lease payments on a 1-ton truck that the department head has requested. It is also the final year of the water tank refurbishment bonds, so this approx. \$115,000 will not be in next years budget. It includes a \$2 pay raise to current employees and a \$2 starting wage here at the Utility Board. It includes an 8 % increase in Blue Cross & Blue Shield, it also includes the River Road Water Main project. Rapp added that on the River Road project the county gave us \$125,000 and city council has made 2 appropriations for money toward this project in the amounts of \$380,000 and \$350,000. We are still short about \$45,000 which will come out of our budget. Williams stated that council had agreed to fund the 45<sup>th</sup> Place project with ARP money but since we are not sure when this will start it is not currently in this budget, Roberts advised that a budget revision could always be done if we needed to start the project even with it not being in this budget. Moving onto sewer, sewer is very similar it includes payments on a 1 – ton truck, it includes bond payments that run through 2034, also \$2 pay raise, the increase in starting wage at \$2 an hour and the 8% increase in Blue Cross & Blue Shield, and it maintains the payments on the vac truck purchased last year. Lastly is stormwater, stormwater works slightly different than the utilities more like a general fund. It includes obviously the pay raise and all our historical numbers. I took what was left and placed it in a capital project line item which came to \$155,900. There will not be much of a carry over in stormwater due to the purchase of a home. Metz also advised that the Greenmont culvert project will also come out of stormwater as well. No questions from the board. Chairman Rapp asked to entertained motion to approve water, sewer, and stormwater budgets for fiscal year 2022 – 2023.

Motion and Vote

Chairman Rapp called for motion to approve water, sewer, and stormwater budgets for the fiscal year 2022 - 2023. Motioned carried by Joe Thorpe was seconded by Steve Eaton. Vote carried in support unanimous 5-0.

- B. City of Vienna Flood Control – Operation, Maintenance Funding Agreement Approval – WV Conservation Agency – Fiscal Year 2023 –** Per Metz this is our yearly contract with the Soil Conservation, how this works is we pay \$7,500 to the soil conservation and they match the amount, they place it into a kitty, we use this to maintain the dry dams and sections of Pond Run. Chairman Rapp asked to entertain the motion to approve the yearly agreement with the WV Soil Conservation Agency in the amount of \$7,500.

Motion and Vote

Chairman Rapp called for motion to approve Operation, Maintenance Funding Agreement with WV Soil Conservation Agency for Fiscal Year 2023. Motioned carried by Steve Eaton was seconded by Kim Williams. Vote carried in support unanimous 5-0

- C. Burgess & Niple – Task Order No. 2022 – 06 – 28<sup>th</sup> Street Storm Drainage Improvements, Preliminary Design of Phases 1 through 3 and Final Design and Bidding of Phase – 1 – Approval** – Per Mike Davis, this came up at last meeting, we had a request from the board to go ahead and do the design for the full system, but we will only be doing the final design and bidding on phase 1. Items C & D listed here are together, we are currently looking at doing this project in phases 1, 2 and 3. Looking at Phase 1, it is Pond Run up to the intersection of 15<sup>th</sup> and 30<sup>th</sup>. The preliminary design for phases 1 – 3 is \$79,200. Final design documents for phase 1 is \$72,900 and bidding services for phase 1 is \$8,400. Metz said if we want to start somewhere this is the place to start. The problem we have is how we are going to fund this. We do not have the money to do this project at this time. This would not be done this year anyway, if we do have the chance to work on this it would be next year some time. Rapp added that is not sure how anyone else feels about this, but we are looking at \$160,500 for the engineering process. Rapp said at this time he is not prepared to vote on going forward with this right now, we do not want to get into this without knowing that we can pay for it. We all agree this project needs to be done, but ultimately it is up to council how any

possibly ARP money gets allocated. Now that we do have numbers, we can go back to council with a priority stormwater project to see if money can be approved for this. Williams asked if this could be placed on the City Council agenda, have Craig and Mike Davis do presentation for council at next meeting. Rapp said that is the only path forward, so we will have it added to council agenda for May 26<sup>th</sup> meeting and keep this on the agenda for board as well.

**D. Burgess & Niple – 28<sup>th</sup> Street Storm Drainage Improvement Technical Memorandum –**

This item goes with item C, which was just discussed.

- E. 12<sup>th</sup> Street Lift Station Bid Results – Approval –** Per Metz we had a bid opening for the new pumps down at 12<sup>th</sup> Street. We are currently up and running with all three pumps right now, this bid is for new pumps, we had only one bid come in, we bid for a replacement of three pumps along with the piping and electrical. The other option was for an additional replacement back - up pump. The bid came back for the three pumps and line replacement at \$334,690. The reserve pump came back at \$92,000. Metz spoke with the distributor he advised that it would not be in our best interest to go with the reserve pump. Due to his ability to repair these pumps, plus they come with a 5-year warranty that starts the day you receive the items. So having a reserve that may sit on a shelf for 5 years, then we try to install, and it does not work we are out this additional \$92,000. Metz recommended not purchasing the reserve pump. Rapp asked what time frame would be on getting these, Metz stated around September or October at the earliest. Rapp stated that since we do have numbers on the cost of this, we put on next months agenda to see what we can do as far as funding. Williams asked that this also be placed on next council agenda and Metz present this as well, so council can decide to possibly fund this from the ARP money. This will be placed on council agenda and presented on May 26<sup>th</sup> council meeting. Rapp entertained a motion to have this 12<sup>th</sup> St. pump bid shelved and placed on next month's agenda.

**Motion and Vote**

Chairman Rapp called for motion to shelve and place the 12<sup>th</sup> Street pump bid on next months agenda. Motioned carried by Steve Eaton was seconded by Kim Williams. Vote carried in support unanimous 5-0

**Manager's Report:** Per Metz, we have had a few service line breaks, nothing too major right now. We are right in the heart of the new lead and copper rule. We will be sending out our annual CCR report and on this we will be asking residence to complete a questionnaire on – line and via mail as to what types of water lines they have in their homes. We will place these answers in our data base so this will complete our obligation with the EPA, hopefully we can get everyone to complete these, so we do not have to go door to door. Rapp added this is critical we get this information so please encourage anyone you know to complete this for us. We are doing concrete replacement in areas. We also will be working on our 20<sup>th</sup> street booster station.

Meeting adjourned at 2:25 PM.

Next regular meeting – Friday June 17, 2022 @ 1:00 PM @ Vienna Utility Board located at 210 60<sup>th</sup> Street Vienna, WV 26105.

Respectfully submitted,

Lorrie Bond