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Service Authority

Paul E. Ruecker, Chairman
Eric A. Young, Vice Chairman
Janice R. Carr, Secretary-Treasurer
Joyce P. Eagles, Member
Ernie Gonzales, Member
Dr. K. Jack Kooyoomjian, Member
David A. Rutherford, Member
L. Ben Thompson, Member

Dean E. Dickey, General Manager
Leslie A. Griffith, Deputy General Manager/CFO

MINUTES OF BOARD OF DIRECTORS MEETING OF OCTOBER 10, 2013

Board Members Present: Janice R. Carr, Ernie Gonzales, K. Jack Kooyoomjian, Ph.D., Paul E. Ruecker, David A. Rutherford, and Eric A. Young

Absent : Joyce P. Eagles and L. Ben Thompson

Staff : Dean E. Dickey, Leslie A. Griffith, Lyle Beefelt, Astrid Nelson, Theresa O'Quinn, Samer Beidas, Don Pannell, James Pflugshaupt, Evelyn Mahieu, Ph.D., Steve Bennett, Andrew Higginbotham, Howard Kartel, Ron Tatariw, Kimberly Murray, and Cheryl Leiby

Legal Counsel : Mark Viani

Guests : Mr. and Mrs. John Charles Martorana

1. GENERAL MATTERS

Chairman Ruecker called the meeting to order at 7:30 p.m.

Chairman Ruecker announced an amended agenda and called for approval of the amended agenda.

Motion: Mrs. Carr moved to approve the amended agenda.
Second: Dr. Kooyoomjian
Ayes : Carr, Kooyoomjian, Gonzales, Ruecker, Rutherford, Young
Absent: Eagles and Thompson

a) Consideration of Approval of Minutes of September 12, 2013

Chairman Ruecker called for approval of the Minutes of the September 12, 2013 Board meeting.

Motion: Dr. Kooyoomjian moved to approve the Minutes of the September 12, 2013 Board meeting.
Second: Mr. Young

Dr. Kooyoomjian inquired about the question concerning logo protection in the September 12, 2013 Board Minutes. Mr. Dickey advised that staff is looking into the matter.

Ayes : Kooyoomjian, Young, Carr, Gonzales, Ruecker, Rutherford
Absent : Eagles and Thompson

b) Consideration of Announcements by Staff

Mr. Dickey advised that Mrs. Eagles and Mr. Thompson were not able to attend the Board meeting.

Mr. Dickey introduced Ms. Kimberly Murray, the new Executive Assistant, who will be taking Mrs. Cheryl Leiby's place. Mr. Dickey read Ms. Murray's biography. The Board of Directors welcomed Ms. Murray.

Mr. Dickey advised that a retirement dinner is planned for Mrs. Leiby and provided prospective dates for the dinner. The Board Members selected Wednesday, November 13. Mr. Dickey also invited the Board Members to the Service Authority's retirement celebration for Mrs. Leiby on Thursday, November 21, 2013 at 2:30 p.m. in the Spittle Lunchroom.

c) Citizens' Time

No citizens were in attendance who wished to speak.

2. COMMENDATION

a) John Charles Martorana

Mr. Dickey called Mr. "Charlie" Martorana forward and read the resolution commending him on his retirement after thirty-seven years and two months of service to the customers of the Prince William County Service Authority and the citizens of Prince William County. Mr. Dickey introduced Charlie's wife, Liz, and invited her to come forward, also.

Motion: Mr. Rutherford moved that the Prince William County Service Authority Board of Directors does hereby commend Mr. J. Charles Martorana for his dedicated service to the customers of the Prince William County Service Authority and the citizens of Prince William County, and expresses best wishes for happiness in his retirement.

Second: Mrs. Carr

Mr. Martorana thanked the Board of Directors and senior staff for their support during his career.

Ayes : Rutherford, Carr, Gonzales, Kooyoomjian, Ruecker, Young
Absent: Eagles and Thompson

3. ACTION MATTERS

a) Adoption of Guidelines for the Use of Construction Management at Risk and Design-Build Contracts

Mr. Dickey advised that in order to be able to use Construction Management at Risk and Design-Build contracts, the Service Authority is required to adopt the guidelines that are consistent with the Commonwealth's approved Construction Management at Risk and Design-Build procedures in accordance with the Virginia Public Procurement Act (§ 2.2-4308 of the Code of Virginia). This will be another tool which the Service Authority can use to get the best value on its construction projects. Staff would like to use this method for the construction of the Air Pollution Control System at the H. L. Mooney Advanced Water Reclamation Facility (AWRF). Mr. Dickey requested the Board of Directors approve the Guidelines for the Use of Construction

Management at Risk and Design-Build Contracts. Mr. Dickey advised that the document provided to the Board of Directors was drafted by legal counsel's contract expert and has been vetted by legal counsel.

Motion: Mr. Young moved that the Prince William County Service Authority Board of Directors hereby approves the Guidelines for the Use of Construction Management at Risk and Design-Build Contracts, as defined in the Code of Virginia § 2.2-4301.

Second: Mrs. Carr

A discussion followed on localities adopting Guidelines for the Use of Construction Management at Risk and Design-Build Contracts, how the Construction Management at Risk contracts work, and the difference between the two types of contracting mechanisms (Construction Management at Risk and Design-Build), the limit (no more than \$10 million) and benefits of Construction Management at Risk contracts, and sharing of potential cost savings.

Ayes : Young, Carr, Gonzales, Kooyoomjian, Ruecker, Rutherford
Absent: Eagles, Thompson

b) Approval to Revisions to Prequalification Policy §74110

Mr. Dickey advised that due to the complexity of some of the Service Authority's projects, staff wants to ensure that the Service Authority is getting competitive bids from firms that are qualified to do the work. This revised prequalification policy was written by the contracting experts at McGuire Woods.

Mr. Beefelt added that this policy as revised is more legally defensible. Mr. Dickey asked the Board of Directors to approve the revisions to the Prequalification Policy §74110.

Motion: Mrs. Carr moved that the Prince William County Service Authority Board of Directors does hereby approve the revised Prequalification Policy, replacing §74110 of the Authority's Purchasing Regulations.

Second: Mr. Rutherford

A brief discussion was held on how the prequalification process works.

Ayes : Carr, Rutherford, Gonzales, Kooyoomjian, Ruecker, Young
Absent: Eagles and Thompson

c) Irrevocable Election Not to Participate in Virginia Local Disability Program (VLDP)

Mr. Dickey advised that this matter was discussed with the Board of Directors previously and that read-ahead material was provided to the Board Members prior to this meeting.

Mr. Dickey briefed the Board of Directors on VLDP and the options available to the Service Authority.

Mr. Dickey stated that once the Service Authority decides what choice to make, either choosing the state's VLDP or opting out, the choice is irrevocable. Mrs. O'Quinn has worked with the Service Authority's consultant and with surrounding jurisdictions/entities to obtain information in order to make an informed recommendation.

After reviewing the pros and cons with the Board Members, Mr. Dickey stated that staff recommended the Board of Directors opt out of the Virginia Retirement System Virginia Local Disability Program. Staff and the Service Authority's consultant are recommending that the Service Authority participate in the Virginia

Association of Counties (VACoRP) pool with The Standard Insurance Company along with Prince William County and Prince William County Schools.

Motion: Mr. Young moved that the Prince William County Service Authority Board of Directors hereby elects not to participate in the Virginia Retirement System Virginia Local Disability Program.
Second: Mrs. Carr

A discussion followed on the reason for formulating the Virginia Local Disability Program, the availability of long-term care benefits and a better rate guarantee.

Ayes : Young, Carr, Gonzales, Kooyoomjian, Ruecker, Rutherford
Absent: Eagles and Thompson

d) Approval of Supervisory Control and Data Acquisition (SCADA) System Replacement Interim Agreement #1

Mr. Dickey requested that the Board of Directors approve the SCADA System Replacement Interim Agreement #1. Mr. Dickey advised that the project is in the Capital Improvements Program (CIP) along with the project cost for the Owner Representative Services during the SCADA Upgrade Pilot Project Planning and Design. Mr. Dickey further advised that there are recommended changes to the contract at the Board Members' places and asked that the Board of Directors approve the SCADA System Replacement Interim Agreement #1 with those changes.

Mr. Beefelt reviewed the changes which were included in his memorandum to the Board of Directors and advised that these changes will be made in the contract.

Motion: Dr. Kooyoomjian moved that the Prince William County Service Authority Board of Directors hereby approves the Agreement with CDM Smith Constructors with the recommended changes provided for preliminary design services in connection with the Collection and Distribution Supervisory Control and Data Acquisition (SCADA) System Replacement and authorizes the expenditure of \$652,270, plus a ten percent contingency of \$65,227, for a total authorization not to exceed \$717,497.
Second: Mrs. Carr

A brief discussion was held.

Ayes : Kooyoomjian, Carr, Gonzales, Ruecker, Rutherford, Young
Absent: Eagles and Thompson

e) Issuance of a Task Order for Owner Representative Services during SCADA Upgrade Pilot Project Planning and Design

Mr. Dickey advised that the Service Authority needs assistance with the management of this project which is more vigorous and involved than most projects. The Owner Representative will be right next to the designer and working with the designer during this planning and design phase of the project. Mr. Dickey asked that the Board of Directors approve the Owner Representative Services to MWH Americas, Inc. (MWH) for the SCADA Upgrade Pilot Project.

Motion: Mrs. Carr moved that the Prince William County Service Authority Board of Directors hereby authorizes the General Manager to issue a task order to MWH Americas, Inc. for Owner Representative Services during the Supervisory Control and Data Acquisition (SCADA) Upgrade Pilot Project Planning and Design.

Second: Mr. Young

A discussion was held about the working relationship between MWH and CDM.

Ayes : Carr, Young, Gonzales, Kooyoomjian, Ruecker, Rutherford
Absent: Eagles, Thompson

4. GENERAL MANAGER'S REPORT

a) Screech Owl Court—Mr. Dickey briefed the Board of Directors on the status of the issue whereby some homes are experiencing problems with their residential fire suppression systems. Service Authority staff, along with the Prince William County Fire Marshal and the Plumbing Department, is investigating this matter.

b) Fats, Oil and Grease Program (FOG)—Photos were provided to the Board Members of sewer lines containing grease. Mr. Dickey also provided photos of equipment the Service Authority uses to remove grease from the sewer lines. Mr. Dickey advised that prevention of grease build up in sewer lines is part of the Service Authority's FOG program which will be getting underway. A discussion was held about inspections, grease traps, violations, collecting fees for violations, and the Service Authority recovering costs.

c) Deposit/Freedom of Information Act (FOIA)—Mr. Dickey reported we received a recent FOIA request regarding the collection of deposits. (This information was provided at the Board Members' places.) Mr. Dickey briefed the Board of Directors on the law requiring the deposits and the Service Authority's policy and procedures for collecting the required deposits. A discussion followed on the amount of time customers have to pay the deposit and the notifications (reminders) that are provided when delinquent customers are in jeopardy of having their water service cut-off.

d) Incoming Mail to Board Members—Mr. Dickey asked the Board Members if they had any objection to him opening mail addressed to them which is received at the Service Authority unless it is marked personal and confidential. The Board Members did not voice any objections to Mr. Dickey's suggestion for opening mail. The Executive Office will open official mail addressed to Board Members.

e) Closed Meeting—Mr. Dickey advised that it is necessary to hold a closed meeting.

5. ATTORNEY'S TIME

Mr. Viani will present his report in a closed meeting.

6. CONSIDERATION OF MATTERS PRESENTED BY MEMBERS

Mr. Young asked about how the Affordable Care Act will affect the Service Authority. Mr. Dickey responded meetings are currently being held with Prince William County, and Mrs. O'Quinn is very much involved in those meetings. However, there is no information available at this time. Once we have some information, we will share it with the Board of Directors. Mrs. O'Quinn added that the consultants are helping the Service Authority to prepare. It is planned that this matter will be addressed during the budget process.

Dr. Kooyoomjian welcomed Ms. Murray to the Service Authority.

Mr. Ruecker complimented Ms. Griffith on the great job she has done leading the design team for the Education Center. It will be an exceptional facility. This is something everyone will be proud of.

7. ADMINISTRATIVE REPORTS

Chairman Ruecker asked the Board Members to please provide any questions they may have on the Administrative Reports to Mr. Dickey for dissemination to the appropriate staff member.

8. CLOSED MEETING

Chairman Ruecker announced a closed meeting at 8:50 p.m. for the purpose of discussing potential litigation under Code of Virginia § 2.2-3711A7.

Motion: Mr. Rutherford
Second: Mrs. Carr
Ayes : Rutherford, Carr, Gonzales, Kooyoomjian, Ruecker, Young
Absent: Eagles, Thompson

Upon conclusion of the closed meeting at 9:36 p.m. and in compliance with the Freedom of Information Act, a motion was made by Mrs. Carr and seconded by Mr. Gonzales to return to an open meeting certifying that to the best of the members' knowledge, the only matters considered were those that were appropriate to be discussed under Code of Virginia § 2.2-3711A7 (potential litigation).

CERTIFICATION FOR CLOSED MEETING

WHEREAS, the Prince William County Service Authority Board of Directors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and,

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by the Prince William County Service Authority Board of Directors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Prince William County Service Authority Board of Directors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered in the closed meeting.

Motion: Mrs. Carr
Second: Mr. Gonzales
Ayes : Carr, Gonzales, Kooyoomjian, Ruecker, Rutherford, Young
Absent: Eagles, Thompson

9. ADJOURNMENT

Motion: Mr. Rutherford
Second: Mrs. Carr
The meeting adjourned at 9:37 p.m.



Janice R. Carr
Secretary-Treasurer