

February 24, 2009

At a reconvened meeting of the Board of Supervisors of Prince Edward County, held at the Court House, thereof, on Tuesday the 24th day of February, 2009; at 7:00 p.m., there were present:

William G. Fore, Jr.

Sally W. Gilfillan

Robert M. Jones

Charles W. McKay

James C. Moore

Howard F. Simpson

Lacy B. Ward

Mattie P. Wiley

Also present: Wade Bartlett, County Administrator; Sarah Puckett, Assistant County Administrator; and James Ennis, County Attorney.

Chairman Fore called the reconvened meeting to order. Supervisor Moore offered the invocation.

In Re: Public Hearing: County Water & Sewer Ordinance

Chairman Fore announced this was the date and time scheduled for a public hearing on the County Water and Sewer Ordinance. Notice of this hearing was advertised according to law in the February 13, 2009 and February 20, 2009 issues of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Chairman Fore said that with the recent purchase of water and sewer infrastructure from the Town and the decision to operate a County utility system, certain steps must be taken to properly implement the operation of a public utility system. One immediate item is the adoption of ordinances that set forth policies and procedures for the operation of the system. Chairman Fore said the purpose of this meeting is to receive input from the citizens regarding the proposed Prince Edward County Water & Sewer Ordinance.

Chairman Fore opened the public hearing, and called upon the first citizen.

Kenneth Jackson, Lockett District, stated he had information regarding the differences between Charlottesville's water issues, Lake Monticello, Lake Gaston and the Sandy River Reservoir as sources of water. He questioned the amount spent on the water and sewer projects as was reported in The Farmville Herald.

Chairman Fore said the purpose of the meeting was to discuss the water and sewer ordinance and not the anticipated projects.

Mr. Jackson and several citizens said they had not seen the ordinance. Chairman Fore read the notice advertised in the February 13, 2009 and February 20, 2009 issues of The Farmville Herald, which clearly stated the purpose of the meeting and that the full text of the ordinance could be reviewed in the County Administrator's office and could be downloaded from the county's website for two weeks prior to the public hearing.

Supervisor Gilfillan asked Wade Bartlett, County Administrator, to explain the contents of the Water & Sewer Ordinance.

Mr. Bartlett said the proposed ordinance contains administrative and operational policies necessary to operate the system recently purchased from the Town of Farmville. He said it defines backflow prevention devices and if they are required; tap installation; charges for the installation of taps and water and sewer services. Mr. Bartlett said it also includes technical procedures, turning water on or off for customers; ownership and maintenance of fire hydrants; and makes it illegal to tamper with the system. He said the ordinance was modeled after the Town of Farmville ordinance.

Discussion followed regarding the public participation period held during regular monthly Board of Supervisors meetings.

Chairman Fore said the purchased system could not be operational without an ordinance in place.

Sharon Dodson, Leigh District, asked if the County expects to use the Sandy River Reservoir without the Town of Farmville. She reviewed past articles from the Farmville Herald regarding the projected costs and the water plant and service lines proposed project.

Chairman Fore said that is a separate issue and has nothing to do with the Water & Sewer Ordinance.

Ms. Dodson asked how the system will be paid for. Chairman Fore said the customers will pay for the system, and no customers can be obtained until the product is available.

Ms. Dodson asked where the water will come from. Chairman Fore said the Town will provide the water through the system in question.

Amanda Jackson asked why the Town of Farmville sold the water system to the County, and why the County wanted the system.

Supervisor Jones said there had been a moratorium placed on the expansion of water lines any further into the County. He said there is a potential for growth on Route 15 South that would need water and sewer services. At that time, the County felt it necessary to secure water and sewer to provide future customers in that area. He said new tax revenues are derived from new growth, and there is the potential for a retirement community development which may not have been possible as water and sewer services would not have been available.

Further discussion followed regarding the moratorium. Chairman Fore said the Board felt, at that time, that the County needed to control the destiny of growth of Prince Edward County outside of the Town of Farmville limits. He said the moratorium was the merely the impetus.

Jacqueline Vaughn, Prospect District, asked the Board that if the ordinance is not in place, the \$2.5 million spent on the system cannot be used. Chairman Fore said that was correct. The citizen asked if the ordinance should have been done before the purchase. Chairman Fore said the procedure taken has been correct. Supervisor Jones said the ordinance could not be passed without first having the system. Further discussion followed.

Neil Chamberlain, Hampden District, asked if there is a state oversight on the ordinance. Mr. Bartlett said the Virginia Health Department oversees the issuing of permits for operations of the system. He said there are bacteriological tests and other certain items; the development of operational procedures and day to day operations are up to each individual locality.

Chairman Fore asked if there were any others wishing to speak on the proposed Water & Sewer Ordinance. There were none. Chairman Fore closed the public hearing.

Chairman Fore then said there was a typographical error in Section 75-23 (a), and said the last sentence in that section should be, "To be reconnected, the delinquent consumer shall pay all accounts then due and, in addition, a reconnection charge of fifty dollars (\$50.00)."

Supervisor Ward asked how many applications for hookup are pending, and who the potential customers are. Mr. Bartlett said there are two or three requests pending from The Manor. Supervisor McKay said the houses cannot be built without water and sewer utilities.

Supervisor Ward asked how the issue of maintenance will be handled. Mr. Bartlett said initially, the County will enter into an Operational Maintenance Agreement with the Town of Farmville to perform necessary maintenance and operational tasks, as there is no need to hire staff at the County level at this time.

Supervisor Moore asked if the County Attorney, Mr. James Ennis, had reviewed the ordinance. Mr. Ennis said he had and the ordinance is substantially similar to the Town of Farmville's water & sewer ordinance. He said the County ordinance must be similar to the Town's to protect the integrity of the Town's system from which the County will receive the water. He said the Town's ordinance has been in place for over 30 years. He added if the County wishes to receive revenue from the water and sewer system, an ordinance must be in place. Mr. Ennis said the ordinance allows the County to put the system into use; it establishes all of the necessary procedures for someone to make application to hook up. He said it is necessary to potentially create a revenue stream under the utility system.

Supervisor Simpson made a motion to adopt the Prince Edward County Water & Sewer Ordinance.

Supervisor Ward asked about the costs to maintain the line. Mr. Bartlett said it may be \$5,000 for the next year. Supervisor Ward then asked about the anticipated income generated. Mr. Bartlett said it would depend upon the number of customers, but one residential connection fee would be \$4,500. He said the three potential connections would generate approximately \$13,500, without counting any usage fees.

Supervisor Moore called for the question.

Supervisor Simpson's motion to approve the Prince Edward County Water & Sewer Ordinance carried with the following vote:

Aye: William G. Fore, Jr.
Sally W. Gilfillan
Robert M. Jones
Charles W. McKay
James C. Moore
Howard F. Simpson
Mattie P. Wiley

Nay: Lacy B. Ward

Chairman Fore announced an invitation to the Board members from the Piedmont Soil & Water to attend the inspection of seven watershed dams on Wednesday, February 25, 2009.

Supervisor Ward asked that important business be taken care of during regular Board meetings.

On motion of Supervisor Simpson and seconded by Supervisor McKay and adopted by the following vote:

Aye: William G. Fore, Jr.
Sally W. Gilfillan
Robert M. Jones
Charles W. McKay
James C. Moore
Howard F. Simpson
Lacy B. Ward
Mattie P. Wiley

Nay: None

the meeting was adjourned at 7:42 p.m.