

March 13, 2007

At a reconvened meeting of the Board of Supervisors of Prince Edward County, held in the Third Floor Conference Room of the Court House, on Tuesday the 13th day of March, 2007; at 4:30 p.m., there were present:

William G. Fore, Jr., Chairman

Howard F. Simpson, Vice-Chairman

Pattie Cooper-Jones

Sally W. Gilfillan

Robert M. Jones

Charles W. McKay

James C. Moore

Lacy B. Ward

Also Present: Sarah Puckett, Acting County Administrator; Jonathan L. Pickett, Director of Planning and Community Development; Alecia Daves-Johnson, Planner II; Sharon Carney, Director of Economic Development and Tourism; and Thomas Cox, P.E., Draper Aden Associates.

Chairman William G. Fore, Jr., called the meeting to order.

In Re: Sandy River Reservoir

Mr. Thomas Cox stated that Draper Aden had been working with Prince Edward County approximately two years. The water withdrawal permit for the Sandy River Reservoir has been obtained. Mr. Cox said that a water monitoring study was completed and found the Sandy River Reservoir to be a high quality water source exhibiting characteristics common to water storage reservoirs in the mid-Atlantic region. Mrs. Puckett stated the Sandy River Reservoir Committee felt that the information process was at a crossroads, and the full Board needed to review the findings prior to the next meeting with the Town of Farmville's Committee. She added the next step would be for the County Sandy River Committee to meet with the Town's Sandy River Committee to continue discussion for a joint recommendation to the governing bodies.

Mr. Cox stated that the two main points were the water supply options and the monitoring study. He said the Sandy River Reservoir would be a good source well into the future, and minor issues identified in the study are common in the region. These include organic matter, manganese, and algae blooms. Mr.

Cox said the need to protect the water source is very important, and to do this, he recommended the creation of a Reservoir Protection Overlay District. Measures should be implemented to protect the watershed as a whole.

The water supply options include construction of a raw water intake at Sandy River Reservoir, and conveyance of raw water to Farmville's water treatment plant. There are four routing alternatives along existing power or railroad rights of way.

Mr. Cox stated that options would cost approximately \$20.95 million, which would be a total cost for all facilities, adding that the Town preferred this option.

Mr. Cox said that Option 2 would entail Prince Edward County developing its own water treatment system at the Sandy River Reservoir site, and providing supplemental treated water to the Town of Farmville. He emphasized this would be a supplemental, not a continuous supply. The water lines could be placed along Route 460 Bypass and could be metered at the joining of the County and Town lines. Mr. Cox said there would need to be a definitive delineation between the County and the Town customers if this option were selected. The water could be treated at the source and also supplied to other localities.

Supervisor Gilfillan stated Option 1 could be upgraded later to be used for treated water, and that it would be a good first step. Mrs. Puckett added, with Option 1, the only potential source of revenue for the County would be the Town of Farmville as a raw water customer. She added the Sandy River Reservoir Committee discussed at length the options and financial opportunities or possibilities with each option as they would apply to each governing body; other issues to be discussed would be the revenue stream, ownership, infrastructure planning, operation, maintenance, and staffing.

Mr. McKay said that treated water could be sold to Farmville, and the County could still charge the Town for treated water or buy their lines. Mr. Jones stated charging for raw water had been questioned at the previous meeting with the Town.

A discussion followed on the Rural Development Grant and the revenue sources, and the options presented by Mr. Cox. Mrs. Puckett stated that any lending entity would want to know the revenue stream prior to awarding a grant or loan.

Chairman Fore said a redundant system is not needed. Mr. Simpson stated that there is an agreement that the County would install water lines from the pumping station to the Town limits for the town. Mr. Jones stated there would be no wasted money if the intake is installed and lines were run to the

town limits, rather than making the Town pay half for the pumping station. Mrs. Gilfillan said she pays, as a town citizen, for the assurance of knowing that during a drought, she has enough water, and for the privilege of having water that is treated and comes from pipes, instead of having to worry about a well and if it will run dry. She added, "It's an amenity of living in town."

Comments were made that out-of-town customers would pay a higher rate, and that while costs are shared now, negotiations with the Town of Farmville would be necessary in the future. Mr. Cox stated that if an authority were created, the Water Authority would make decisions based on economics. It would make money from the sale of water to pay specifically for the water costs, which would be separate from General Funds. A Water Authority also functions to protect the source of water.

Further discussion on the possible connections to the Town water system followed.

Mrs. Gilfillan asked if all agreed on the sharing of costs; Mr. Moore stated the County is not in the water business, and it would have to be shared.

Mr. Jones added if Cumberland were to be included, representatives from that area could be included in the Water Authority. Mr. Cox stated an Authority helps the communities involved make better overall decisions based on economics. Mr. Jones added that regional grant funding is easier to obtain.

Mr. Fore asked if a Water Authority would impact on the County owning the reservoir. Mr. Cox gave an example of the Rapidan Service Authority owns some of its system, but a lot of the source water is owned by Greene County and Orange County. They had elected to construct and own some of their own facilities in order to retain greater localized control. The Authority is, however, a regional authority spanning three counties. Mr. Cox added that typically, customers are Authority customers, and a permit for withdrawal would have to be transferred to the Authority, but the reservoir would remain the property of the County.

Acting County Administrator Sarah Puckett said that there would be a meeting the following week with the Town of Farmville regarding the State Water Supply Plan to start the application for grant funds, with a deadline of May 18. The planning for the Reservoir Protection Overlay District will probably start in April or May.

Mr. Cox explained how the Authority or Board of Directors is chosen, and how it would work. He told the Board that the County would have a reduced level of control; the Directors of the Authority would be appointed, and would hire the people to run the Authority, such as the Director, Water Plant

Operator and Superintendent. The Authority would have an obligation to “break even.” As an Authority, it would become a political subdivision, and would have powers of an authority if incorporated.

Mr. McKay mentioned some grant funding would be missed without a Water Authority, and the Town of Farmville and Prince Edward County would have more control if set up prior to inviting other areas to join. Mr. Cox added the memory of the drought in 2001 is fading, and it would be better to act now. The separate enterprise fund would include a water system and water facility on a pay-as-you-go basis. He said the first step of creating an Authority takes effort, but “once the Authority is established, it is quite remarkable how well things come together.”

Mr. Jones said the County and Town of Farmville should work together toward this goal. Mrs. Puckett stated this is an important step for everyone to understand how important a crossroads this is for the decision making.

Discussion followed concerning options and input from jurisdictions other than just the Town of Farmville at the onset; Mr. Jones stated there was no response from letters sent to other jurisdictions earlier.

Mr. Cox was asked to provide his recommendation; he stated the decision for the water authority is a very good one, and Mrs. Puckett’s point regarding the revenue stream is valid. At some point, the costs have to be shifted to the customers of the system. Option 1 would be best, in his opinion. The Town of Farmville could upgrade and the development of the Sandy River Reservoir would act as an insurance policy. Users would pay the Authority, and the Authority would transfer the cost to the users. Mr. Jones stated that having the Authority could also provide grant opportunities. Mrs. Gilfillan added the grants would therefore reduce the costs to the customers. Mrs. Puckett reiterated that it becomes an enterprise operation instead of a General Fund operation.

Mrs. Alecia Daves-Johnson said any staff for the Water Authority could be paid as part of the Water Authority, unlike a water treatment plant that the County would have to hire staff. Mrs. Puckett stated that the Authority could contract with the Town to provide staff and employees. A discussion of other Authorities in neighboring counties followed.

In Re: Closed Session

Supervisor Jones made a motion that the Board convene in Closed Session for the discussion and consideration of prospective candidates for employment, pursuant to the exemptions provided for in Section 2.2-3711(A)(1) of the *Code of Virginia*. The motion carried:

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

Nay: None

The Board returned to regular session by motion of Mr. McKay and adopted as follows:

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

Nay: None

On motion of Mr. McKay, seconded by Mrs. Cooper-Jones, and carried by the following roll call vote:

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

Nay: None

the following Certification of Closed Meeting was adopted in accordance with the Virginia Freedom of Information Act:

WHEREAS, the Prince Edward County Board of Supervisors 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, Section 2.2-3712 of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Prince Edward County Board of Supervisors 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 by the Prince Edward County Board of Supervisors.

In Re: Appointments: County Attorney and Deputy County Attorneys

On motion of Mr. McKay and adopted by the following vote:

Aye: Pattie Cooper-Jones
William G. Fore, Jr.
Sally W. Gilfillan
Robert M. Jones
Charles W. McKay
James C. Moore
Howard F. Simpson

Nay: Lacy B. Ward

the Prince Edward County Board of Supervisors approved the appointments of James R. Ennis as County Attorney, and Brian Butler and Eric Tinnell as Deputy County Attorneys, effective immediately with a term to run until June 30, 2008, under the terms of Mr. Ennis' letter of March 6, 2007, to Sarah Elam Puckett, Acting County Administrator.

On motion of Mr. Moore and adopted by the following vote:

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

Nay: None

the meeting adjourned at 6:27 p.m.