

**A G E N D A**

**MONTGOMERY COUNTY PUBLIC SERVICE AUTHORITY**

**Regular Meeting**

**Multi-Purpose Room #2 Second Floor**

**Montgomery County Government Center**

**Monday, October 7, 2013**

**7:00 PM**

**I. CALL TO ORDER**

**II. DETERMINATION OF QUORUM**

**III. DELIGATION**

A. Presentation from Tom Powell with Atlantic Utilities

**IV. PUBLIC ADDRESS SESSION**

**V. CONSENT AGENDA**

**VI. NEW BUSINESS**

A. Proposed Resolution Accepting Consent for Riner Wastewater Treatment Plant

**VII. FINANCIAL REPORT**

**VIII. DIRECTOR'S REPORT**

**IV. AUTHORITY MEMBERS' REPORT**

**X. INTO CLOSED MEETING**

Section 2.2-3711

(1) Discussion, Consideration, or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

1. Personnel

**XI. OUT OF CLOSED MEETING**

**XII. CERTIFICATION OF CLOSED MEETING**

**XIII. ADJOURNMENT**

**TO:** PSA Board of Directors

**FROM:** Robert C. (Bob) Fronk, PSA Director

**DATE:** October 07, 2013

**SUBJECT:** AGENDA REPORT - PSA REGULAR MEETING – October 07, 2013

**I. CALL TO ORDER**

The Chair will call this meeting to order.

**II. DETERMINATION OF QUORUM**

The Chair will determine if a quorum is present.

**III. DELIGATION**

A. Presentation from Tom Powell with Atlantic Utilities

**IV. PUBLIC ADDRESS SESSION**

The Chair will ask if there are any comments from the public. Each person will be allowed five minutes to address the Board.

**V. CONSENT AGENDA**

PROPOSED RESOLUTION:

BE IT RESOLVED, that the Public Service Authority hereby approves the Consent Agenda, dated October 07, 2013. See Item 1.

**VI. NEW BUSINESS**

- A. Proposed Resolution Accepting Consent for Riner Wastewater Treatment Plant  
See Item 3

**R13-10-01**

**STATE WATER CONTROL BOARD ENFORCEMENT ACTION ORDERED BY CONSENT FOR RINER WASTEWATER TREATMENT PLANT**

BE IT RESOLVED, By the Board of Directors of the Montgomery County Public Service Authority, that the Board of Directors hereby accept and agree to the terms and conditions of the attached Consent Order issued by the Department of Environmental entitled “**STATE WATER CONTROL BOARD ENFORCEMENT ACTION-ORDERED BY CONSENT ISSUED TO THE MONTGOMERY COUNTY PUBLIC SERVICE AUTHORITY FOR RINER WASTEWATER TREATMENT PLANT VPDES Permit No. VA0024040**”.

BE IT FURTHER RESOLVED, By the Board of Directors that the Chair of the Montgomery County Public Service Authority Board of Directors is hereby authorized to execute the Consent Order issued by the Department of Environmental Quality entitled “**STATE WATER CONTROL BOARD ENFORCEMENT ACTION-ORDER BY CONSENT ISSUED TO THE MONTGOMERY COUNTY PUBLIC SERVICE AUTHORITY FOR RINER WASTEWATER TREATMENT PLANT VPDES Permit No. VA0024040**” agreeing on behalf of the Montgomery County Public Service Authority to the issuance of the Consent Order.

ISSUE/PURPOSE: To resolve the permit violations with DEQ at the Riner Wastewater Treatment Plant

JUSTIFICATION: The Consent Order addresses and resolves past permit violations

**VII. FINANCIAL REPORT**

The financial report for period ending September 30, 2013 will be presented for review and discussion. See Item 4

**VIII. DIRECTOR’S REPORT**

The Director’s report will be presented at this time. See Item 5.

**IV. AUTHORITY MEMBERS’ REPORT**

1. Member Gabriele
2. Member Politis
3. Member Perkins
4. Member Brown
5. Member Tuck
6. Member Biggs
7. Member Creed

**X. INTO CLOSED MEETING**

PROPOSED RESOLUTION:

BE IT RESOLVED, that the Public Service Authority hereby enters into Closed Meeting for the discussion of the following:

- Section 2.2-3711 (1) Discussion, Consideration, or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body
1. Personnel

**XI. OUT OF CLOSED MEETING**

PROPOSED RESOLUTION:

BE IT RESOLVED, that the Public Service Authority ends their Closed meeting to return to Regular Session.

**XII. CERTIFICATION OF CLOSED MEETING**

PROPOSED RESOLUTION:

WHEREAS, the Public Service Authority of Montgomery County 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, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, that the Public Service Authority does hereby agree, that to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements Virginia law were discussed in the meeting to which this certification resolution applies, and (ii) only public business matters as were identified in the motion conveying the Closed Meeting were heard, discussed or considered by the Authority.

**XIII. ADJOURNMENT**

PROPOSED RESOLUTION:

BE IT RESOLVED, that the Public Service Authority does hereby adjourn to the next meeting scheduled for November 4, 2013.

**CONSENT AGENDA  
October 07, 2013**

**A. APPROVAL OF MINUTES**

**1. SUBJECT: APPROVAL OF MINUTES DATED  
September 3, 2013**

ISSUE/PURPOSE: The above listed minutes are before the Board for approval. See Item 1.

**2. SUBJECT: REAPPROPRIATION OF PSA ENCUMBRANCES**

**R13-10-2  
REAPPROPRIATION OF PSA ENCUMBRANCES**

BE IT RESOLVED, By the Montgomery County Public Service Authority Board of Directors that the Sewer Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2014, for the function and in the amount as follows:

571060	Motor Vehicles & Equipment	\$47,800
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The source of funds for the foregoing appropriation is as follows:

Revenue Account

451108	Retained Earnings	\$47,800
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Said resolution re-appropriates monies supporting the balances of outstanding purchase orders as of June 30, 2013.

ISSUE/PURPOSE: Outstanding Sewer Fund purchase order

JUSTIFICATION: Each year, the balances of outstanding purchase orders are reappropriated into the next fiscal year. This equipment was ordered and funds encumbered in January 2013 but due to manufacture time was not received until July 2013.

**3. SUBJECT: RESOLUTION APPROVING DEED OF EASEMENT  
SAMUAL JOSEPH & BRENDA A KINZIE**

**R13-10-3  
RESOLUTION APPROVING DEED OF EASEMENT  
SAMUAL JOSEPH & BRENDA A KINZIE  
PUBLIC WATER LINE EASEMENT**

PROPOSED RESOLUTION:

BE IT RESOLVED, by the Board of Directors of the Montgomery County Public Service Authority, that the Board of Directors hereby agree to accept the proposed Deed of Easement from Samuel Joseph & Brenda A Kinzie for a perpetual RIGHT and EASEMENT, variable in width (twenty feet [20'] maximum), to construct, install, improve, operate, inspect, use, maintain, repair or replace a water line or lines and related improvements including slope(s), if applicable, together with the right of ingress and egress thereto from a public road, upon, over, under, and across a tract or parcel of land belonging to the Grantor, acquired by deed dated 12/04/2001, and recorded in the Clerk's Office and the Circuit Court of Montgomery County, Virginia, in Deed Book 1247, page 584 and designated on the Montgomery County Land Records as Tax Map No. 046-A-14A, 046-A-14C (the "Property"). The location of said easement is more particularly described on the plat attached hereto as "Exhibit A, entitled NEW PUBLIC WATER EASEMENT Being Granted to the Montgomery County Public Service Authority by OWNER 1 & OWNER 2" and by this reference made a part hereof (the "Plat").

BE IT FURTHER RESOLVED, that the Chair of the Montgomery County Public Service Authority is hereby authorized to sign the above referenced Deed of Easement for the purpose of acknowledging acceptance of the Easement on behalf of the Board of Directors of the Montgomery County Public Service Authority.

ISSUE/PURPOSE: Acceptance of a public water easement for a water line.  
See Item 2.

JUSTIFICATION: This water easement is necessary for the operation and maintenance of the water line located on this property.