



44865 Loudoun Water Way • P.O. Box 4000 • Ashburn, Virginia 20146 • www.loudounwater.org

Minutes of the Loudoun Water Board Meeting, January 13, 2011

The Board Meeting was held at 3:00 pm in the Boardroom of the Loudoun Water building located at 44865 Loudoun Water Way, Ashburn, Virginia.

Board Members:

Chairman Fred Jennings	Ed Burrell	Ralph Watson
Tanja Thompson	Mark Koblos-Absent	Johnny Rocca
Patti Psaris	Pravin Gandhi	Chuck Harris

General Counsel – Jonathan Rak

Loudoun Water Staff in Attendance:

Dale Hammes-GM/ Treasurer	Jewell Lilly/Secretary
Mary Arnsbarger-DGM Administration	Tom Broderick-DGM Operations
Carla Burleson-DGM Finance	

AGENDA ITEM 1 – CALL TO ORDER

The meeting was called to order by Chairman Jennings at 3:00 pm.

AGENDA ITEM 2 – GENERAL MATTERS

2A. Approval of Minutes

Mr. Harris requested that the record reflect the correction of Ms. Psaris’ title. Upon **MOTION** of Mr. Rocca, second by Mr. Burrell, the minutes of the meeting of December 9, 2010 were approved with noted correction.

Vote: Mr. Jennings-Aye, Ms. Psaris-Aye, Mr. Koblos-Absent, Ms. Thompson-Absent for the vote, Mr. Rocca-Aye, Mr. Gandhi- Aye, Mr. Watson-Aye, Mr. Harris-Aye, Mr. Burrell-Aye.

2B. Public Speakers

- Dr. Slack: Thanked Chairman Jennings and Dale Hammes for their cooperation and comments to the Board of Supervisors about the water study for Raspberry Falls.
- Tom Morrow: Thanked the Loudoun Water Board for their cooperation and requested to be included in the process to work towards a solution for Raspberry Falls.
- Karen Saunders: Welcomed new Board members and thanked Chairman Jennings and Dale Hammes for their support. Thanked the Loudoun Water Board for including the pipeline as an option in the water study.

- Laura Maschler: Thanked the Loudoun Water Board for their support of Raspberry Falls at the Town of Leesburg board meeting and complimented staff on their expertise.
- Sally Mann identified herself as a Hamilton resident and attorney interested in the concerns of Raspberry Falls.

2C. General Manager's Report

- Tim Coughlin's retirement reception will be at Lansdowne, January 13th – 6:00pm following the Board meeting.
- Stanley Franklin's recognition reception will be at Tuscarora Mills, January 27th – 5:30pm.
- WAGE has started broadcasting operations.

2D. Board Member Comments

- Mr. Harris wished everyone a Happy New Year.
- Mr Gandhi thanked everybody for the friendly welcome.
- Mr. Rocca and Mr. Burrell welcomed the new Board members.
- Ms. Psaris wished everyone a Happy New Year and thanked the public speakers for their comments.
- Mr. Watson expressed gratitude for the opportunity to be on the Board.
- Chairman Fred Jennings:
 - Welcomed the new Board members and thanked them for their participation.

AGENDA ITEM 3 – AMENDMENT/ADOPTION OF AGENDA

Chairman Jennings amended the agenda as follows:

- Moved Closed Meeting Item 10A onto the Action Agenda as Item 6A.
- Deleted Item 6B, Approval of Raspberry Falls Well F Supply Line Construction Contract.
- Resolutions of Appreciation (formerly Action Item 6A) will now become Action Item 6B.
- The Chairman added the topic Board Committee Structure as New Business Item 7A.

Upon **MOTION** of Chairman Jennings, second by Ms. Psaris, the agenda was adopted as amended. **Vote:** Mr. Jennings-Aye, Ms. Psaris-Aye, Mr. Koblos-Absent, Ms. Thompson-Absent for the vote, Mr. Rocca-Aye, Mr. Gandhi- Aye, Mr. Watson-Aye, Mr. Harris-Aye, Mr. Burrell-Aye.

AGENDA ITEM 4 – BOARD COMMITTEE ACTION

CIP - Mr. Rocca – reported no issues and summary of the December 20th meeting has been included in the Board package.

AGENDA ITEM 5 – CONSENT AGENDA

There were no consent items on the agenda.

AGENDA ITEM 6 – ACTION AGENDA

Item 6A. Consultation with Legal Counsel Pertaining to Personnel Matters and Actual or Probable Litigation Discussion – Jonathan Rak, Legal Counsel.

Upon **MOTION** of Ms. Psaris, second by Mr. Rocca, the Board moved to enter into Closed Meeting pursuant to Section 2.2-3711(A) Subsection 7. **Vote:** Mr. Jennings-Aye, Ms. Psaris-Aye, Mr. Koblos-Absent, Ms. Thompson-Absent for the vote, Mr. Rocca-Aye, Mr. Gandhi- Aye, Mr. Watson-Aye, Mr. Harris-Aye, Mr. Burrell-Aye.

The items to be discussed were:

Subsection 7 - Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

(At this point during the meeting, Ms. Thompson arrived)

Upon **MOTION**, by Mr. Rocca, second by Mr. Harris, the Board voted to return to Open Meeting. **Vote:** Mr. Jennings-Aye, Ms. Psaris-Aye, Mr. Koblos-Absent, Ms. Thompson-Aye, Mr. Rocca-Aye, Mr. Gandhi- Aye, Mr. Watson-Aye, Mr. Harris-Aye, Mr. Burrell-Aye.

Upon **MOTION**, by Chairman Jennings, second by Ms. Psaris, the Board adopted the following Certification for Closed Meeting. Pursuant to Section 2.2-3711(d) of the Code of Virginia the Loudoun County Sanitation Authority 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, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Loudoun County Sanitation Authority. **Vote:** Mr. Jennings-Aye, Ms. Psaris-Aye, Mr. Koblos-Absent, Ms. Thompson-Aye, Mr. Rocca-Aye, Mr. Gandhi-Aye, Mr. Watson-Aye, Mr. Harris-Aye, Mr. Burrell-Aye.

Upon **MOTION**, by Mr. Rocca, second by Mr. Gandhi, the Board adopted the Resolution to Study a Pipeline from the Town of Leesburg to the Raspberry Falls Community System as presented. (Mr. Rocca read the Resolution aloud.) **Vote:** Mr. Jennings-Aye, Ms. Psaris-Aye, Mr. Koblos-Absent, Ms. Thompson-Aye, Mr. Rocca-Aye, Mr. Gandhi- Aye, Mr. Watson-Aye, Mr. Harris-Aye, Mr. Burrell-Aye.

Resolution to Study a Pipeline from the Town of Leesburg to the Raspberry Falls Community System

WHEREAS, correspondence received from the Virginia Department of Health on November 23, 2010 directed Loudoun Water to consider several actions in response to the determination that Raspberry Falls Well PW-1 is under the direct influence of surface water (“VDH Raspberry Falls Letter”); and

WHEREAS, these actions to be considered include 1) install filtration and disinfection treatment for the GUDI source within 18 months of this notice, or by May 23, 2012, in accordance with 12VAC-590-420 of the Waterworks Regulations; 2) develop new or replacement sources; and 3) connect to another waterworks such as Town of Leesburg or Selma Estates; and

WHEREAS, in a letter from Mayor Umstattd to the Loudoun County Board of Supervisors (“Board of Supervisors”) dated October 27, 2010, the Leesburg Town Council (“Town Council”) stated that it would be interested in entertaining proposals from Raspberry Falls and/or Loudoun Water to supply the Raspberry Falls community with potable water by pipe, truck or other means, contingent on the following conditions: 1) the proposal may not cause an increase, directly or indirectly, in the water rates, availability fees, or quarterly fixed fees paid by the current Leesburg utility customers, both in-town and out-of-town and 2) the cost of a detailed development of said proposal will be borne by other than the Town of Leesburg or the Leesburg Utility Fund ; and

WHEREAS, on January 4, 2011 the Loudoun County Board of Supervisors requested that Loudoun Water study a pipeline extension of Leesburg Town water as an alternative option with the purpose of comparison to the additional treatment measures directed by the Loudoun Water Board and with an emphasis on relative cost, length of time to implement and finished water quality, along with other pros and cons that may be identified, such as Karst hydrogeologic impacts; and

WHEREAS, study of the pipeline option will require close coordination with the Town of Leesburg (“Town”) including the provision of essential information by the Town and will ultimately require Town agreement to allow the pipeline and supply the water; and

WHEREAS, the pipeline cannot be implemented without policy changes and approval of the Loudoun County Board of Supervisors;

NOW, THEREFORE BE IT RESOLVED:

The Loudoun Water Board accepts the request of the Board of Supervisors to perform the study of a pipeline extension of Leesburg Town Water as an alternative option.

The Loudoun Water Board authorizes funding of the study.

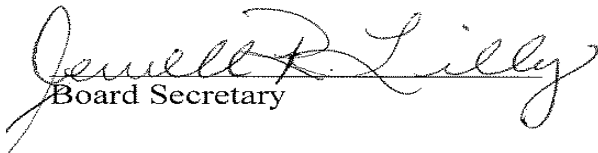
The Loudoun Water Board directs staff to develop an agreement with Town of Leesburg to perform the study.

Activity pursuant to this Resolution is intended to provide information to the Loudoun County Board of Supervisors and Leesburg Town Council to facilitate their decisions whether to authorize the possible extension of Leesburg municipal water.

This directive is not intended to defer or interrupt the current testing and regulatory approval of Well F and continued operation of the System as originally designed and approved.

Time is of the essence. Staff is authorized to utilize all appropriate procurement and contracting methods which will most timely permit completion of the study.

Adopted this 13th day of January, 2011.


Board Secretary

Item 6B. Resolutions of Appreciation for Leonard (Hobie) Mitchel, Dimitri Kesari, and Stanley Franklin – Fred Jennings, Board Chairman.

In December 2010, the Board terms of Leonard (Hobie) Mitchel and Dimitri Kesari expired. In addition, Stanley Franklin, legal counsel for Loudoun Water retired. In recognition of years of consistent service and commitment to water, the Board directed staff to draft Resolutions of Appreciation.

In response to this request, staff has prepared and attached Resolutions of Appreciation for Board approval.

Upon **MOTION** of Mr. Harris, second by Ms. Psaris, the Board approved the attached Resolutions of Appreciation for Leonard (Hobie) Mitchel, Dimitri Kesari and Stanley Franklin, as presented. **Vote:** Mr. Jennings-Aye, Ms. Psaris-Aye, Mr. Koblos-Absent, Ms. Thompson-Aye, Mr. Rocca-Aye, Mr. Gandhi-Aye, Mr. Watson-Aye, Mr. Harris-Aye, Mr. Burrell-Aye.

RESOLUTION OF APPRECIATION FOR

Mr. Leonard (Hobie) Mitchel

WHEREAS, Mr. Leonard Mitchel was appointed a member of Loudoun Water in February 1999 to December 2010 and served with distinction tirelessly and continuously.

WHEREAS, Mr. Mitchel chaired the Finance and CIP Committees and served on the Policy Committee and consistently participated in other committee meetings, providing important contributions during a period of significant growth and accomplishments at Loudoun Water.

WHEREAS, Mr. Mitchel, brought to the Authority invaluable professional experience in the areas of financial matters, engineering and development, and local and regional interests. He generously provided knowledge, advice and expertise to the Authority.

NOW, THEREFORE, BE IT RESOLVED, that Authority members and its staff express to Mr. Mitchel their deepest appreciation for his leadership and highest esteem for the devotion he has so generously, effectively and graciously given the Authority.

BE IT FURTHER RESOLVED, that this resolution be made a part of the Authority's minutes.

Dated this 13th day of January, 2011.

Signed _____
Fred Jennings, Chairman

RESOLUTION OF APPRECIATION FOR

Mr. Dimitri Kesari

WHEREAS, Mr. Dimitri Kesari was appointed a member of Loudoun Water in January 2007 to December 2010 and served with distinction tirelessly and continuously.

WHEREAS, Mr. Kesari chaired the Audit Committee and served on the Personnel Nominating Committee and participated in other activities providing important contributions.

WHEREAS, Mr. Kesari, brought to the Authority invaluable professional experience in the areas of financial matters and local and regional interests and generously provided knowledge, advice and expertise to the Authority.

NOW, THEREFORE, BE IT RESOLVED, that Authority members and its staff express to Mr. Kesari their deepest appreciation for his leadership and highest esteem for the devotion he has so generously, effectively and graciously given the Authority.

BE IT FURTHER RESOLVED, that this resolution be made a part of the Authority's minutes.

Dated this 13th day of January, 2011.

Signed _____
Fred Jennings, Chairman

RESOLUTION OF APPRECIATION FOR

Mr. Stanley Franklin

WHEREAS, Mr. Stanley M. Franklin served as General Counsel of Loudoun Water in March 1966 to December 2010, and

WHEREAS, during his service, Loudoun Water successfully managed tremendous growth in size and capabilities needed to fulfill its obligations to Loudoun County, and

WHEREAS, Mr. Franklin contributed extraordinary and invaluable knowledge and insight on legal and water and wastewater utility matters to provide a stable source of ongoing support and guidance for Loudoun Water's priorities, and

WHEREAS, Mr. Franklin, worked tirelessly with Loudoun Water Boards and Committees, staff members and key stakeholders to successfully guide and develop the organization, and

WHEREAS, his passionate dedication to public service and continuous efforts to support public health through effective and efficient water and wastewater service delivery by Authorities in the Commonwealth of Virginia is unparalleled.

NOW, THEREFORE, BE IT RESOLVED, that Loudoun Water Board members and its staff express to Mr. Franklin their deepest appreciation for his leadership and highest esteem for the service and devotion he has so generously, effectively and graciously given to Loudoun Water.

BE IT FURTHER RESOLVED, that this resolution be made a part of the Authority's minutes.

Dated this 13th day of January, 2011.

Signed _____
Fred Jennings, Chairman

AGENDA ITEM 7 – NEW BUSINESS

Item 7A. Board Committee Structure – Fred Jennings, Board Chairman.

The Chairman distributed new Committee assignments and announced that Ms. Psaris would work with staff to provide new formatting for Board Reports. Suggestions for upcoming new business topics were solicited.

AGENDA ITEM 8 – REPORTS

A. Water and Sewer Agreements – Presented for Board review.

B. Central Water Supply Plan Monthly Report – Kevin Wood provided an update on recent and upcoming activities.

AGENDA ITEM 9 – INFORMATIONAL ITEMS

- A. FOIA (Verbal Update / Handout) – Jonathan Rak, Legal Counsel.**
This information will be presented at a future meeting.

There being no further business, this meeting adjourned at 5:55 pm.

Chairman

Secretary