



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

Minutes of the Loudoun Water Board Meeting, October 8, 2009

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	Dimitri Kesari
Charles McKinney	John Whitmore	Johnny Rocca
Patti Psaris	Hobie Mitchel	Chuck Harris

<b>General Counsel</b> – Stanley Franklin
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**LCSA Staff in Attendance:**

Dale Hammes-GM/ Treasurer	Jewell Lilly/Secretary	Carla Burleson
Karen Arnold	Dave Linski	Mary Arnsbarger
Tom Bonacquisti	Samantha Villegas	Liza Young
Rick Jacobson	Beate Wright	Roddy Mowe
Kevin Wood	Matt McGowan	Mike Beardslee
Tom Broderick	Craig Lees	Bob Canham
Mark Guanco	Lola Stith	Sue Bour
Todd Danielson	Tim Coughlin	

**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***

Upon **MOTION** of Mr. McKinney, second by Mr. Kesari, the minutes of the meeting of September 10, 2009 were approved. **Vote:** Mr. Jennings-Aye, Ms. Psaris-Aye, Mr. Whitmore-Aye, Mr. McKinney-Aye, Mr. Rocca-Aye, Mr. Mitchel- Absent for the vote, Mr. Kesari-Aye, Mr. Harris-Absent for the vote, Mr. Burrell-Aye.

***2B. Public Speakers*** - There were no public speakers at this time.

## **2C. General Manager's Report**

- Mr. Hammes acknowledged the passing of Chip Harwood. Chip Harwood dedicated 22 years to Loudoun Water and he will be missed.
- Mr. Hammes reminded the Board of the Rate Workshop scheduled on Tuesday – Oct. 13<sup>th</sup> at 4pm.
- A report from the County Task Force on failing drain fields is expected. Loudoun County is expected to ask Loudoun Water to work with the County and communities to address the problems.

*(At this point in the meeting, Mr. Harris arrived)*

- Staff met with the Town of Hamilton regarding the possibility of operating the Town's water and wastewater systems. Additional information to follow if Loudoun Water receives a formal request.

## **2D. Board Member Comments**

- Mr. Harris expressed concern about the Board meeting being held at 3pm. He felt that this time may be inconvenient to the public and to consider holding the Board meeting later in the day or evening.
- Chairman Jennings recapped the open meeting held Monday, October 5<sup>th</sup> with the Raspberry Falls residents. The objective of this meeting was to hold a forum for comments and explore the Raspberry Falls history and chronological timeline of events. He stated that key attendees included media representatives and a several Raspberry Falls residents. The minutes from the meeting and a copy of the presentation will be circulated. Chairman Jennings thanked Todd Danielson and staff involved in this meeting and applauded their efforts in making it a good session and successful meeting. He stated that the outcome is to identify a pathway that will best serve all stakeholders and he looks forward to the planning of the next meeting.
- Chairman Jennings mentioned the Board Retreat will be held in the early spring of 2010. He asked Board members to formulate a different format for the meeting and submit suggestions to the General Manager or the Chairman.

## **AGENDA ITEM 3 – ADOPTION OF AGENDA**

Upon **MOTION** of Mr. Kesari, second by Mr. McKinney, the agenda was approved as presented. **Vote:** Mr. Jennings-Aye, Ms. Psaris-Aye, Mr. Whitmore-Aye, Mr. McKinney-Aye, Mr. Rocca-Aye, Mr. Mitchel- Absent for the vote, Mr. Kesari-Aye, Mr. Harris-Aye, Mr. Burrell-Aye.

*(At this point in the meeting, Mr. Mitchel arrived)*

## **AGENDA ITEM 5 – ACTION AGENDA**

### **5A. Contract Award for Auditing Services – Carla Burleson**

At the Audit Committee's request, staff prepared and advertised a Request for Proposal (RFP) for Auditing Services in May with proposals due June 25, 2009. Loudoun Water received six proposals and an internal evaluation committee was formed to independently review the proposals. The top three ranked firms were identical for each independent reviewer. Those firms are Yount, Hyde & Barbour, PBGH and KPMG.

At its August 13, 2009 meeting the Audit Committee directed staff to request non-binding cost estimates, with staff category and hours, from each of the top three firms by way of written communication. Legal counsel assisted staff in drafting the letter and responses were requested by August 21, 2009. The Audit Committee was informed of the results on August 25th.

The Audit Committee met at 2:00 p.m. on October 8, 2009 to discuss contract award. Their recommendation is to award an auditing services contract to Yount, Hyde & Barbour for an initial contract period of three years to cover the audits for fiscal years 2009, 2010 and 2011. Two one-year renewal options will also be available as part of the contract.

The estimated costs associated with the audit for each year is as follows:

2009	\$59,500
2010	62,600
2011	65,700

The proposed audit fees include year-end audit work, single audit work associated with the receipt of federal funds, technical report review as well as issuance of compliance letters and opinions.

Upon **MOTION** of Mr. Burrell, second by Mr. Kesari, the Board moved to award auditing services contract to Yount, Hyde and Barbour for an initial period of three years to perform audits for fiscal years 2009, 2010 and 2011. Two one-year renewal options will also be included in the contract. Mr. Rocca called to question, **Vote:** Mr. Jennings-Aye, Ms. Psaris-Aye, Mr. Whitmore-Aye, Mr. McKinney-Aye, Mr. Rocca-Aye, Mr. Mitchel- Aye, Mr. Kesari-Aye, Mr. Harris-Aye, Mr. Burrell-Aye.

## **AGENDA ITEM 6 – REPORTS**

**6A. Water & Sewer** – Presented and reviewed by Dale Hammes.

**6B. Finance Committee** – Mr. Mitchell reminded the Board and staff of the Rate Workshop scheduled for Tuesday – October 13th.

**6C. CIP Committee** – Presented and reviewed by Vice Chairman Rocca.

**6D. Policy Committee** – Ms. Psaris congratulated staff on keeping focused and described the process used in updating the policies. Chairman Jennings thanked staff for their effort.

**6E. Central Water Supply Program Monthly Update** – Presented and reviewed by Tim Coughlin. ICPRB will be hosting their annual meeting at Loudoun Water on October 20<sup>th</sup>.

Johnny Rocca and Charles Harris commended the look and design of the Central Water Supply Program brochure.

#### **AGENDA ITEM 7 – INFORMATIONAL ITEM**

##### **7A. Broad Run WRF Report – Bob Canham**

Mr. Canham described the start-up process of the BRWRF. In regards to the Notice of Violation (NOV) received from DEQ about the phosphorus limit, Mr. Canham said staff will be going to Richmond on Tuesday to explain and does not expect serious repercussions.

Chairman Jennings stated that the Board would support the creation of a program for a violation-free incentive.

Mr. McKinney stated that a new process for the GMO performance evaluation has been created. Board members will receive a package from Ms. Arnsbarger via U.S. Mail. The contents are to be completed and returned to Ms. Arnsbarger's attention.

#### **AGENDA ITEM 8 – CLOSED MEETING**

##### **8A. Consultation with Legal Counsel Pertaining to Actual or Probable Litigation – Stanley Franklin**

Upon **MOTION** of Mr. Rocca, second by Mr. Burrell, the Board moved to enter into Closed Meeting pursuant to Section 2.2-3711(A) Subsection 7. The items to be discussed are: Consultation with legal counsel pertaining to actual or probable litigation. **Vote:** Mr. Jennings-Aye, Ms. Psaris-Aye, Mr. Whitmore-Aye, Mr. McKinney-Aye, Mr. Rocca-Aye, Mr. Mitchel-Aye, Mr. Kesari-Aye, Mr. Harris-Aye, Mr. Burrell-Aye.

Upon **MOTION** of Mr. Rocca, second by Mr. Mitchel, the Board voted unanimously to return to Open Meeting.

Upon **MOTION** of Mr. Kesari, second by Mr. Rocca, 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. Whitmore-Aye, Mr. McKinney-Aye, Mr. Rocca-Aye, Mr. Mitchel-Aye, Mr. Kesari-Aye, Mr. Harris-Aye, Mr. Burrell-Aye.

Upon **MOTION** of Mr. Mitchel, second by Mr. Kesari, the Board resolves to authorize a petition to the Attorney General to support jurisdictions. **Vote:** Mr. Jennings-Aye, Ms. Psaris-Aye, Mr. Whitmore-Aye, Mr. McKinney-Aye, Mr. Rocca-Aye, Mr. Mitchel-Aye, Mr. Kesari-Aye, Mr. Harris-Aye, Mr. Burrell-Aye.

There being no further business, this meeting adjourned at 4:28 pm.

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Chairman

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Secretary