

**CLARKE COUNTY SANITARY AUTHORITY MEETING
OCTOBER 18, 2022
MINUTES**

PRESENT:

Mr. Roderick DeArment, Chairman, (via Teleconference)
Mr. A. "Dan" Mackay-Smith, Vice-Chairman
Mr. Tom Bauhan, Treasurer
Mr. C. Wayne Armbrust
Mr. Lee Coffelt
Mr. Bev McKay, Liaison for the Clarke County Board of Supervisors

OTHERS:

Mr. Paren Crawford, Inboden Environmental Services
Mr. Mark Inboden, Inboden Environmental Services
Mrs. Mary Meredith, Staff

I. CALL TO ORDER

The meeting was called to order at 9:00am.

II. MINUTES

A. September Minutes

The board reviewed the minutes and a motion was made to approve the minutes as submitted. The motion carried as follows:

Mr. DeArment	-	aye
Mr. Mackay-Smith	-	aye
Mr. Bauhan	-	aye
Mr. Armbrust	-	aye
Mr. Coffelt	-	aye

III. PUBLIC COMMENT

There is no public comment.

IV. INBODEN REPORT

A. Utility Report

Mr. Crawford reviewed the water plant. There were some issues with the TMP levels increasing. Memcor unit one was placed into a two hour clean in place. A week later, Memcor unit two and three underwent cleaning in place. At the beginning of October, Mr. Crawford received a notice with a shutdown alarm. The alarm was due to the air compressors tripping. The plant was running on generator power. A major accident caused power

disruption in the area. The compressors were reset and the finish pumps were placed in manual mode to help control the level in the Millwood water tower. Mr. Armbrust will reach out to Mr. Crawford regarding scheduling a site visit with relation to the shutdown alarm and air compressors being tripped.

At the wastewater plant, Mr. Crawford noted that on September 22 a deep clean of the Virginia Avenue wet well occurred. A high-pressure hose was used to remove the buildup of debris inside the wet well.

A customer called regarding an overflowing grinder pump at 15 Tannery Lane. The on/off float of the float tree was stuck. The floats were adjusted, tested, and placed back in operation.

Mr. Crawford reviewed the total nitrogen and phosphorous levels which overall are good.

B. DEQ Correspondence

Mr. Inboden went back to DEQ regarding the discharging of backwash. The DEQ noted that we were not able to reclassify to no permit instead of non-permitted discharge. Since we have a permit, they could not reclassify. The other item that Mr. Inboden wanted reconsidered was the culpability clause. They rarely if ever say the culpability is low. The violation amount was reduced to \$13,650, which is a thirty percent reduction.

V. OLD BUSINESS

A. Locke Store

Ms. Meredith reviewed the items from Locke Store. The first item in the packet is an email with an update from Locke Store. The contract with Pennoni was also signed. The finished installation to connect all sinks to the grease trap was completed on October 17, 2022. The next documents are two samples. One is September 8 and the other is September 16. The results are 524 mg/L and 389 mg/L respectively. This morning results came in from the sample date on September 30 at 2,811 mg/L. The wet well overflowed on October 14, which was caused most likely by a float being caught up in the system.

Ms. Meredith noted that the penalties to charge for noncompliance were tabled from the September meeting to this meeting. Ms. Meredith inquired if we are looking at this as one collective fine from all four high results or separating the results.

The board discussed the continued oil and grease in the systems as well as the newest measures the customer has taken to route all appurtenances through the grease trap. Mr. Inboden was concerned with the sub pumps installed that it would overwhelm the hydraulic load of that grease trap. The board discussed if it was possible for them to have a pump and haul scenario until a time they could rejoin the system. Ms. Meredith noted that

if it were allowed, pumping and hauling would have to be approved by the county and department of health.

Mr. Coffelt noted that continuing to discharge this into our system is unacceptable, and discussion today should be how we cease allowing this to continue to enter our system. His opinion is we need to take an action on this ongoing matter today.

Mr. Armbrust reviewed for the board that one; we are facing potential fines for the high readings. We can choose to not fine and continue forward, fine a single fine for the current violations, or we could consider the samples tested in September as one violation and samples in October another violation, and finally we can look at each individual sample violation as an individual fine. The next option is a cease and desist order where they have to go to a pump and haul.

Mr. McKay noted that he spoke with each member of the board of supervisors and the board supports the sanitary authority by taking whatever means are necessary.

Mr. Armbrust suggests we fine the September noncompliance test results as a standalone fine of \$8,000, and fine the October noncompliance test results as a standalone fine of \$16,000, in addition to what is outstanding. He also suggests a cease and desist which will take preventative action against future deleterious material entering the system.

Mr. Bauhan asked how much time we would have to give them notice.

Ms. Meredith noted we would have to give them five business days.

A motion was made that fines be viewed as a monthly basis for the interim, subject to change at the board's discretion. The current two fines represent the months of September and October. The fines are \$8,000 for September 2022 and \$16,000 for October 2022. This totals \$24,000 in outstanding penalties.

In addition to the fine structure, effective October 18, 2022 the Clarke County Sanitary Authority issues a cease and desist on water and sewer service at the property of 2049 Millwood Road, Millwood, VA 22646 on October 25, 2022.

The motion carried as follows:

Mr. DeArment	-	aye
Mr. Mackay-Smith	-	aye
Mr. Bauhan	-	aye
Mr. Armbrust	-	aye
Mr. Coffelt	-	aye

B. WWTP – Roof Repairs

Ms. Meredith updated the board on the roof inspection of fans by Riddleberger. The fans have exceeded their life expectancy. Riddleberger scope of the project was to review the fans and ventilation to help determine ways to vent it effectively. This began with the review of the

roof to see if it needed replaced, which it only appears that the roofing needs sanded and recoated. However, to keep the structure intact for years to come, ventilation is a priority.

- C. Cell Phone Tower Proposal 1
- D. Cell Phone Tower Proposal 2

At approximately 10:03 a.m., Mr. Coffelt moved, seconded by Mr., to enter into closed session, pursuant to Section 2.2-3711(A)(5) of the Code of Virginia (1950) as amended, for discussion or consideration of the investment of public funds. The motion carried as follows:

Mr. DeArment	-	aye
Mr. Mackay-Smith	-	aye
Mr. Bauhan	-	aye
Mr. Armburst	-	aye
Mr. Coffelt	-	aye

At approximately 10:30 a.m., with the members of the Authority being assembled within the designated meeting place, with open doors and in the presence of member of the public and/or the media desiring to attend, Mr. Mackay-Smith moved, seconded by Mr. Armbrust, to reconvene in open session. The Motion carried as follows:

Mr. DeArment	-	aye
Mr. Mackay-Smith	-	aye
Mr. Bauhan	-	aye
Mr. Armburst	-	aye
Mr. Coffelt	-	aye

Upon returning to open session, the following Certificate of Closed Session was executed:

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Clarke County Sanitary Authority has convened a closed meeting on the date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3700 of the Code of Virginia requires certification by the Clarke County Sanitary Authority that such closed meeting was conducted in conformity with Virginia Law.

NOW, THEREFORE BE IT RESOLVED, that the Clarke County Sanitary 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 were discussed in the closed meeting to which the certification resolution applies, and (ii) only such business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Clarke County Sanitary Authority.

The motion carried as follows:

Mr. DeArment	-	aye
Mr. Mackay-Smith	-	aye
Mr. Bauhan	-	aye
Mr. Armbrust	-	aye
Mr. Coffelt	-	aye

A motion was made to accept the proposed amendment for cell phone tower rental.

The motion carried as follows:

Mr. DeArment	-	aye
Mr. Mackay-Smith	-	aye
Mr. Bauhan	-	aye
Mr. Armbrust	-	aye
Mr. Coffelt	-	aye

A motion was made to counter offer the proposal with cell phone company two and continue negotiations.

The motion carried as follows:

Mr. DeArment	-	aye
Mr. Mackay-Smith	-	aye
Mr. Bauhan	-	aye
Mr. Armbrust	-	aye
Mr. Coffelt	-	aye

VI. NEW BUSINESS

A. LCRR Guidelines

Ms. Meredith mentioned that this is new regulations and guidelines coming from the Office of Drinking water and EPA. This first phase requires the utility to identify the customer lines as well as its own lines for lead and copper. Mr. Inboden noted this is push down from the federal government and Inboden is working to develop a systematic approach for

the utilities to take in order to meet these guidelines.

VII. FINANCIAL REPORTS

The financial reports are included in the packet for review.

VIII. NEXT MEETING

The next meeting will be November 15, 2022 at 9:00am.

IX. ADJOURNMENT

The meeting was adjourned.