

At the Regular Meeting of the Greenville County Water & Sewer Authority, held on Monday, September 16, 2019, with Regular Session beginning at the conclusion of the Board of Supervisors meeting, in the Board Room of the Greenville County Government Building, 1781 Greenville County Circle, Emporia, Virginia.

Present: Raymond L. Bryant, Jr., Chairman
Tony M. Conwell, Vice-Chairman
Michael W. Ferguson
William B. Cain

Chairman Bryant called meeting to order.

In Re: Closed Session

Mrs. Parson, Director, stated that Staff recommended the Authority go into Closed Session, Section 2.2-3711 (a) 1) Personnel Matters.

Mr. Ferguson moved, seconded by Mr. Conwell, to go into Closed Session, as recommended by Staff. Voting aye: Mr. Cain, Mr. Conwell, Mr. Ferguson and Chairman Bryant.

In Re: Regular Session

Mrs. Parson stated that Staff recommended the Authority return to Regular Session.

Mr. Ferguson moved, seconded by Mr. Conwell, to go into Regular Session. Voting aye: Mr. Cain, Mr. Conwell, Mr. Ferguson and Chairman Bryant.

In Re: Certification of Closed Meeting – Resolution #WS-19-60

Mr. Conwell moved, seconded by Mr. Ferguson, to adopt the following Resolution. A roll call vote was taken, as follows: Mr. Cain, aye; Mr. Conwell, aye; Mr. Ferguson, aye; and Chairman Bryant, aye.

**RESOLUTION #WS-19-60
CERTIFICATION OF CLOSED MEETING**

WHEREAS, the Greenville Water and Sewer Authority has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Greenville County Water and Sewer Authority that such closed meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Greenville County Water and Sewer 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 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 Greenville County Water and Sewer Authority.

In Re: Approval of Agenda

Mrs. Parson stated that Staff recommended approval of the Agenda with no added items.

Mr. Ferguson moved, seconded by Mr. Conwell, to approve the Agenda, as submitted. Voting aye: Mr. Cain, Mr. Conwell, Mr. Ferguson and Chairman Bryant.

In Re: Approval of the Consent Agenda

Mrs. Parson stated that Staff recommended approval of the Consent Agenda.

Mr. Ferguson moved, seconded by Mr. Conwell, to approve the Consent Agenda consisting of the following items. Voting aye: Mr. Cain, Mr. Conwell, Mr. Ferguson, and Chairman Bryant.

In Re: Minutes from the meeting of September 3, 2019.

Budgetary Matters consisting of the following: Fund #001 – Journal Voucher #21, in the amount of \$107,874.00; Fund #002 – Journal Voucher #22, in the amount of \$74,386.00 and Budget Amendment Resolution #WS-19-61, in the amount of \$19,880.00, all of which are incorporated herein by reference.

Warrants:

Approval of Total Accounts Payable for September 3, 2019, in the amount of,
\$1,720,041.51

Approval of General Fund, in the amount of, \$141,989.25
Approval of Special Projects, in the amount of, \$549,386.01

In Re: Resolution #WS-19-56 – Approval of the FY2020 Budget

Mr. Glen Gibson addressed the Board of Supervisors stating that the recommended operating and capital budget for FY2020 and the five-year Capital Improvements Plan had been duly presented to the Authority and revisions made. He then read the following resolution into record and requested approval.

**RESOLUTION # WS-19-56
APPROVAL OF FISCAL YEAR 2019-2020 BUDGET**

WHEREAS, the Recommended Operating, the Capital Budget for the Fiscal Year 2020 and the Five Year Capital Improvement Plan has been duly presented to the Authority and revisions made;

NOW, THEREFORE, BE IT RESOLVED that for informational and fiscal planning purposes, the Greenville County Water and Sewer Authority adopts, as incorporated herein by reference, an Operating Budget – Water of \$2,937,189 and an Operating Budget – Sewer of \$3,001,451.

NOW, THEREFORE, BE IT RESOLVED that for informational and fiscal planning purposes, the Greenville County Water and Sewer Authority adopts, as incorporated herein by reference, a Capital Budget – Water of \$1,580,000, a Capital Budget – Sewer of \$8,577,219 and the Five Year Capital Improvement Plan.

FURTHER, BE IT RESOLVED, that no expenditure shall be made or money shall be paid out until an appropriation is made by this governing body.

Supervisor Conwell moved, seconded by Supervisor Ferguson, to approve Resolution #WS-19-56. Voting aye: Mr. Cain, Mr. Conwell, Mr. Ferguson and Chairman Bryant.

In Re: Phase I – MAMaC Sewer Offsite Wastewater Construction Project Resolution #WS-19-62

Mr. Gibson stated that it was discussed that the low bidder was Ralph Hodge Construction during the Board of Supervisors Meeting. He stated that this project consisted of Phase I, which was the gravity sewer to Otterdam and Phase II, which was a 12" force main extending from that point to the MAMaC site. He further stated that Mr. Slayton, the County Attorney, had prepared a resolution to be considered that would award the project for Phase I, in the amount of, \$1,896,944 to Ralph Hodge Construction. He also stated that it authorized the negotiation and preparation of a construction contract upon the conditions listed in the bid documents. He then stated that the contract was contingent upon the language to be negotiated between the parties which would address the possibility of cost generated by a change order should the contractor encounter rock with the bores. Mr. Gibson stated that if Staff was not able to negotiate acceptable terms in the contract, then the Authority would not be penalized for the award. He stated that the contractor had indicated that he would accept the terms and Staff was requesting approval of the following resolution.

RESOLUTION #WS-19-62
PHASE I – MAMaC OFFSITE WASTEWATER CONSTRUCTION PROJECT

IT IS HEREBY RESOLVED by the Board of Directors ("Board") of Greenville County Water and Sewer Authority ("GCWSA"), that the Board hereby accepts the negotiated bid of Ralph Hodge Construction Company for Phase I of the MAMaC Offsite Wastewater Construction Project ("Project"), at a reduced base bid of \$1,896,944.00, and authorizes negotiation and preparation of a construction contract, on the condition that in addition to the construction contract including terms and conditions set forth in the bid documents, the construction contract will also include language to be negotiated between the parties which will address the possibility of additional costs generated by Change Order resulting from rock being encountered during Project borings, and will further provide that if terms of the contract language addressing rock are not resolved by successful negotiation between the parties, GCWSA will not be required to enter into a construction contract with Ralph Hodge Construction Company, notwithstanding this bid award, and that GCWSA's failure to enter into the construction contract as a result of unsuccessful "rock cost" language negotiation will create no liability for GCWSA.

Adopted this 16th day of September 2019

Mr. Cain reiterated that there was uncertainty regarding encountering rock and the cost of the construction project. Mr. Gibson stated correct. He stated that economic development would be making a request to fund Phase II and would also be making a request to fund the additional funds needed to complete Phase I, if the Board of Supervisors decided not to fund and complete the project.

Chairman Bryant stated that if change orders had to come into play, he would like for the change orders to come before the Authority for approval. Mr. Gibson stated yes.

Mr. Ferguson moved, seconded by Mr. Conwell, to approve Resolution #WS-19-62. Voting aye: Mr. Cain, Mr. Conwell, Mr. Ferguson and Chairman Bryant.

In Re: Phase II – MAMaC Offsite Wastewater Construction Project Resolution #WS-19-63

Mr. Gibson stated that this project was bid as an alternate bid item. He stated that Staff was hoping that it would find a contractor that really wanted the job and would give a very good price. He also stated that the engineer’s estimate for Phase II was \$1.2 million and Staff was successful in getting a bid of \$298,990, which was below the engineer’s original estimate developed in the PER. Mr. Gibson stated that Mr. Slayton prepared the following resolution to award this phase of the project to Ralph Hodge Construction, in the amount of \$298,990, contingent upon the economic development department successfully obtaining the grant funds needed to construct Phase II of this project.

Commented [KH1]: \$1.2 million

**RESOLUTION #WS-19-63
PHASE II – MAMaC OFFSITE WASTEWATER CONSTRUCTION PROJECT**

IT IS HEREBY RESOLVED by the Board of Directors (“Board”) of Greenville County Water and Sewer Authority (“GCWSA”) that the Board hereby accepts the bid of Ralph Hodge Construction Company for Phase II of the MAMaC Offsite Wastewater Construction Project (“Project”), in the amount of \$298,990.00, and authorizes negotiation and preparation of a construction contract, with the provision that the construction contract will afford GCWSA the right to terminate the contract, without penalty, if Project funds have not been secured by GCWSA prior to March 1, 2020.

Mr. Ferguson moved, seconded by Mr. Conwell, to approve Resolution #WS-19-63. Voting aye: Mr. Cain, Mr. Conwell, Mr. Ferguson and Chairman Bryant.

In Re: Adjournment

There being no further business to discuss, Mr. Conwell moved, seconded by Mr. Ferguson, to adjourn the meeting. Voting aye: Mr. Cain, Mr. Conwell, Mr. Ferguson and Chairman Bryant.

Raymond L. Bryant, Chairman
Greenville County Water and Sewer Authority