

**Board of Supervisors**

Gary F. Snellings, Chairman
Laura A. Sellers, Vice Chairman
Meg Bohmke
Jack R. Cavalier
Paul V. Milde, III
Cord A. Sterling
Robert "Bob" Thomas, Jr.

Anthony J. Romanello, ICMA-CM
County Administrator

Infrastructure Committee
AGENDA

March 3, 2015 @ 1:30 p.m.
ABC Conference Room, Second Floor

Agenda Item	
	Introduction ❖ Welcome
1.	Exit 140 Interchange (VDOT)
2.	Pump and Haul Program Update
3.	Poplar Road Improvements
4.	Next Meeting - April 14, 2015
	Adjourn

EXIT 140 INTERCHANGE (VDOT)

Information to be provided at the committee meeting

Pump and Haul Policy Changes
Infrastructure Committee
3/03/2015

The Utilities Commission has reviewed the current Pump and Haul Policy and made recommendations regarding changes to combine the Subsidized and Non-subsidized programs. The description of the major recommended changes to the program are outlined below, with the paragraph/numbers are keyed to draft revised policy included with the attached draft resolution.

2. In order to more clearly define the different types of Pump and Haul situations, we split the types into classifications; Non-subsidized Pump and Haul, and Subsidized Pump and Haul with three subdivisions Grandfathered Customers, Prorated Customers and Temporary Customers
3. Policy Elements for Subsidized Customers
 - A. Grandfathered customers will remain eligible for a non-prorated subsidy if they continue to meet the qualification criteria
 - B. The County will evaluate each of the grandfathered properties within two years to ensure they still meet the qualification criteria, if not they will be removed from the list
 - C. Properties whose on-site disposal system was constructed after 1997 are not eligible (this is only in the subsidized policy elements, as non-subsidized properties that don't meet this stipulation may want use pump and haul without the County paying for it)
 - E. The County Administrator may approve a property for subsidized pump and haul with the new prorated system. (Previously this required UC and Board approval)
 - I. Fees and Charges for Subsidized properties
 - (1) Availability and Connection charges – these were paid by grandfathered properties; however not by non-subsidized. We felt the high cost of an availability fee may be difficult for anyone that qualifies for the prorated subsidy and that if they did not qualify for the subsidy, they should be treated like a non-subsidized hauler. If sewer becomes available in the area, they will be charged an availability fee at that time.

- (2) User fees – Consumption fees for grandfathered and temporary subsidized properties will be based on Board's set rates, prorated will be based on established poverty level guidelines
- S. Outlines the subsidies which will be provided by the County
 - (1) With Board approval we can assist with cost to install 2,000 gallon tank
 - (2) Prorated costs dependent on gross annual income as shown on Federal Income tax forms
 - (3) County will administer pump and haul for subsidized properties and bill accordingly
- T. If an applicant is not approved for subsidized pump and haul, or does not agree with the amount of subsidy, he may, within ten (10) days of the date of notification of such a decision, appeal the decision to the Board of Supervisors, through the Utilities Commission. Such appeal shall be made in writing to the Director of Utilities and shall state the specific act or interpretation which is being appealed.

4. Policy Elements for Non-Subsidized Customers

- The majority of this section closely follows the current non-subsidized policy

Stafford County Pump & Haul Program History and Recommended Changes
Infrastructure Committee
March 3, 2015

In 1998, in response to numerous drainfield failures in the area of the county along Joshua Road and Mountain View Road known as the Roses, the Subsidized Residential Pump and Haul Program was established. The program was intended to provide public sewer service to residences that had failed drainfields that could not be repaired without contributing to growth by extending public sewer infrastructure to the area or by providing a temporary solution until public sewer became available. The program is heavily subsidized for customers generating less than 10,000 gallons of wastewater per month. The customer is required to pay the sewer availability fee and connection charges and must install a 2,000-gallon tank. A pump and haul contractor hired by the county pumps out the tank as needed and transports the wastewater to a county wastewater treatment facility.

Resolution R98-29 (attached) was adopted on 4/7/98 and established the Residential Subsidized Pump & Haul Program. Key provisions include:

- Provides cost-effective solution to residential property owners who have failing on-site sewer systems that are a hazard to public health
- Provides solution to existing public health hazards when it is more cost-effective to subsidize P&H than to extend public sewer to the property
- Requires owner to install a new watertight 2,000 gallon storage tank with an alarm to indicate when tank is almost full and needs to be pumped
- Applicant pays sewer availability and connection fees in effect at that time
- Applicant pays monthly charges – demand charge, service fee, and a consumption fee commensurate with current user fees but structured to encourage users to generate less demand for service

Resolution R01-363 (attached) was adopted on November 20, 2001 to revise the Residential Subsidized Pump & Haul Program by:

- Making “places of worship” eligible for the program
- Prohibiting property owners from expanding or modifying the existing structure unless approved by Utilities Commission and Board of Supervisors

Resolution R03-410 (attached) was adopted on November 18, 2003 to revise the Residential Subsidized Pump & Haul Program by:

- Providing for “temporary” P&H if a county sewer extension project is scheduled to be completed within 12 months of the request for P&H
 - Property owner gets temporary P&H permit from Health Department
 - Property owner may use existing septic tank rather than having to install a new 2,000 gallon tank
 - Allowing Public Utilities Administrator to approve temporary pump and haul service for properties planned to be served by a Short Extension Project. Properties planned to be served by Neighborhood, Large Scale, and CIP projects still required Board approval.

Resolution R06-240 (attached) was adopted on September 5, 2006 and further revised the Residential Subsidized Pump and Haul Program by:

- Changing “cost effective solution” to “an emergency means” of wastewater disposal and adding the stipulation that only “owner-occupied” dwellings and places of worship were eligible
- Changing “no feasible alternative for repair” to “no technically feasible alternative for repair”
- Adding the provision that property is not eligible for P&H if the problem is “self-inflicted” due to factors such as failure to pump out the septic tank on a regular basis or avoidable damage to the reserve drainfield site
- Limiting the term of the contract to “a period not-to-exceed 10 years” and adding the requirement that any transfer to a subsequent owner requires County approval
- Adding the provision that the contract can be renewed for another 10-year period, or less, if there continues to be no feasible means of repairing the failed drainfield

- Removing parcels whose original on-site sewage disposal system was constructed after August 19, 1997, from eligibility for either Permanent or Temporary Pump and Haul

Resolution R06-339 (attached) was also adopted by the Board on September 5, 2006, and established a pump and haul policy for non-residential customers. Its provisions include:

- Addressing property owners who do not meet the criteria for subsidized P&H, but for which there is no feasible means of on-site or public sewage disposal
- Adding eligibility for new structures that are “commercial, industrial, or instructional uses and public sewer is anticipated to become available in the near future”

On February 5, 2013, the Board referred the P&H Program to the Infrastructure Committee for discussion. Staff presented a summary of the program to the IC on February 19, 2013, and the IC referred it to the Utilities Commission for review and recommendations. The Utilities Commission discussed pump and haul at length; and, at its June 11, 2013 meeting, decided to form a subcommittee consisting of Mr. Tignor and Ms. Arndt to further study the issues and provide recommendations on how to proceed. The commissioners also decided that the Board should be asked to appoint one of its members to the subcommittee.

On July 2, 2013, the Board appointed Mr. Milde to the subcommittee. The subcommittee met on July 17, 2013 and made several suggestions to the Utilities Commission.

Mr. Tignor provided a report on the subcommittee’s discussions at the Utilities Commission’s August 6, 2013 meeting. Additional discussion was held at the Utilities Commission’s September 10, 2013 meeting; the commission decided to hold a public hearing on the matter. The public hearing before the Utilities Commission was held on October 8, 2013 to hear public comment on recommended changes to the subsidized pump and haul policy (R06-240) and the non-subsidized policy (R06-339). Six members of the public spoke at the hearing. All of the speakers were currently on subsidized pump and haul and wanted to ensure that the County would continue to honor the agreement they had entered into. After the public hearing, the commissioners discussed the various issues at length.

The consensus of the Utilities Commission was that a non-subsidized pump and haul program would be retained with a provision for some degree of subsidization in special cases; staff incorporated both the current subsidized and non-subsidized programs into one policy. With three (3) new members on the Utilities Commission, staff went over the basics of the Pump & Haul Program at the commission’s April 8, 2014 meeting. A draft of the draft combined policy was presented to the commissioners for their review. Further discussion was held at the commission’s May 13, 2014 meeting and minor revisions were made to the draft including a

provision that no subsidy could be considered unless the structure is owner-occupied. At its June 10, 2014 meeting, the Utilities Commission indicated its desire to hold a public hearing on the proposed policy for Pump and Haul Sewer Services.

A public hearing was for the Utilities Commission to consider changes to the Pump and Haul Sewer Services on October 14, 2014. Five members of the public spoke, all of which were Pump and Haul customers requesting the current customers remain on the subsidized program as it currently exists. The Commission discussed the matter at length.

Following the discussion Mr. Harris made a motion to forward the matter to the Pump and Haul sub-committee for further discussion of the following items: review the findings of the public hearing, review with staff the current homeowner's status, and report the recommendations to the commission.

The Pump and Haul sub-committee discussed the issue in detail and made the following recommended changes to the combined Pump and Haul policy:

- The customers currently on subsidized pump and haul would have their property evaluated to see if it met the current guidelines for subsidized pump and haul.
- In order for the property to remain on the subsidized list, it must meet the current guidelines including the owner-occupied provision, as well as permitting a site evaluation by an Authorized On-site Soil Evaluator (AOSE) to determine if there is an alternative or repair for their system.
- The cost for the evaluation will be borne by the Department of Utilities upon the owner's consent. If a repair or replacement is deemed feasible, the County will inform the owner and discontinue pump and haul services after a suitable period, not to exceed 6 months, for the owner to construct the needed repair or replacement. Upon request, any owner whose pump and haul contract is not renewed shall be entitled to a refund of the original availability fee paid.
- If the property meets the criteria, and there is no alternative, the owner will be required to renew the pump and haul contract for a period of ten years, after which another site evaluation will be required.
- The owners will also be required to record the pump and haul contract with the Circuit court linked to their property.
- All existing properties on subsidized pump and haul will be grandfathered and allowed to continue with subsidized pump and haul at the rate determined by the Board of Supervisors.
- All future applicants will be subject to hardship criteria to be determined.

After making the changes to the combined Resolution and reviewing the document, staff proposed additional changes to clarify the different categories of subsidized customers and the fees required for each. The updated draft was again presented to the Utilities sub-committee on February 10, 2014 and was approved to be forwarded to the Infrastructure Committee.

A draft copy of Proposed Resolution is included for your review. The policy is a combination of the two current subsidized and non-subsidized programs. A synopsis of the major changes is shown below. The numbers represent the section of the policy for easy reference.

2. In order to more clearly define the different types of Pump and Haul situations we split the types into classifications; Non-subsidized Pump and Haul, and Subsidized Pump and Haul with three subdivisions Grandfathered Customers, Prorated Customers and Temporary Customers
3. Policy Elements for Subsidized Customers
 - A. Grandfathered customers will remain eligible for a non-prorated subsidy if they continue to meet the criteria
 - B. The County will evaluate each of the Grandfathered properties within two years to ensure they still meet the criteria, if not they will be removed from the list
 - C. Properties whose on-site disposal system was constructed after 1997 are not eligible (this is only in the Subsidized policy elements, as non-subsidized properties that don't meet this stipulation may want use pump and haul without the County paying for it)
 - E. The County Administrator may approve a property for subsidized pump and haul with the new prorated system. (Previously this required UC and Board approval) This can be changed back if suggested.
 - I. Fees and Charges for Subsidized properties
 - (1) Availability and Connection charges – these were paid by grandfathered properties; however not by non-subsidized. We felt the high cost of an availability fee may be difficult for anyone that can receive the prorated subsidy and that if they did not receive the subsidy, they should be treated like a non-subsidized hauler. If sewer becomes available in the area, they will be charged an availability fee at that time.
 - (2) User fees – Consumption fees for Grandfathered and temporary subsidized properties will be based on Board's set rates, prorated will be based on established poverty level guidelines
 - S. Outlines the subsidies which will be provided by the County
 - (1) With Board approval we can assist with cost to install 2,000 gallon tank
 - (2) Prorated costs dependent on gross annual income as shown on Federal Income tax forms
 - (3) County will administer pump and haul for subsidized properties and bill accordingly
 - T. If an applicant is not approved for subsidized pump and haul, or does not agree with the amount of subsidy, he may, within ten (10) days of the date of notification of such a decision, appeal the decision to the Board of Supervisors, through the Utilities

Commission. Such appeal shall be made in writing to the Director of Utilities and shall state the specific act or interpretation which is being appealed.

4. Policy Elements for Non-Subsidized Customers

- The majority of this section closely follows the current non-subsidized policy

Staff recommends forwarding the resolution with the revised policy to the full Board for their consideration.

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, Stafford County Administration Center, Stafford, Virginia, on the day of, 2015:

MEMBERS:

Gary F. Snellings, Chairman
Laura A. Sellers, Vice-Chairman
Meg Bohmke
Jack R. Cavalier
Paul V. Milde III
Cord A. Sterling
Robert "Bob" Thomas, Jr.

VOTE:

On motion of, seconded by, which carried by a vote of to, the following was adopted:

A RESOLUTION TO ESTABLISH A NEW POLICY
FOR PUMP AND HAUL SEWER SERVICES

WHEREAS, Resolution R98-29 established a policy pertaining to the use of pump and haul services to provide sewer service to existing residences when there are no feasible alternatives for repair or replacement of failed on-site sewage disposal systems and it is not cost-effective to extend public sewer; and

WHEREAS, Resolution R06-339 established a similar policy to address property owners with failed on-site sewage disposal systems but who did not qualify for the subsidized pump and haul services provided under R98-29; and

WHEREAS, the County desires to combine these two policies into one program;
and

WHEREAS, the County desires to continue to maintain a Pump and Haul Sewer Service Policy to address public health problems caused by malfunctioning on-site disposal systems; and

WHEREAS, the County desires to continue to permit temporary pump and haul sewer service for properties planned to be served by proposed Sewer Extension Projects; and

WHEREAS, the Utilities Commission has recommended adoption of this revision;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the day of , 2014, that the following policy be, and it hereby is, adopted for approving pump and haul sewer service for properties with failed on-site sewage disposal systems:

1. Policy Objectives

- A. To provide for the public health needs of the citizens of the County
- B. To provide an emergency means of wastewater disposal for property owners whose on-site sewage disposal systems have failed and for which there is no other feasible means of sewage disposal
- C. To provide a solution for existing public health problems caused by failed on-site systems without encouraging growth on adjacent properties
- D. To provide an interim solution to failed on-site systems until it is cost-effective to extend public sewer service
- E. To assist citizens with failed on-site sewer systems who are financially unable to bear the full cost of pump and haul services

2. Pump and Haul Classifications

- A. Subsidized Pump and Haul Customers
 - (1) Grandfathered Customers – Customers that have been approved for subsidized pump and haul services before the date of this resolution. These customers will pay the fees as outlined in Section 3.I.
 - (2) Prorated Customers – Customers that have been approved for subsidized pump and haul services after the date of this resolution. These customers will pay a prorated portion of the actual hauling costs in accordance with the guidelines in Section 3.S.(5) of this policy.
 - (3) Temporary Customers –Customers which meet the guidelines in Section 3.O of this policy.
- B. Non-Subsidized Pump and Haul Customers – property owners who have no feasible means of sewage disposal and who do not qualify for, or do not desire to participate in the subsidized pump and haul program, but would still like to be included on the County’s Pump and Haul permit.

3. Policy Elements for Subsidized Customers

- A. All Grandfathered customers shall be eligible to remain in this program if there is no alternative available and they continue to meet the requirements of the subsidized program as outlined in Section 3.E of this policy. The County will review each location to ensure it meets the requirements listed in Section 3.E of this document. If the location does not meet the requirements, it will be removed from the subsidized pump and haul list and will be added to the non-subsidized pump and haul list.
- B. The County will hire, within two years of the effective date of this resolution, at its expense, a licensed Authorized On-site Soil Evaluator (AOSE) to re-evaluate each grandfathered subsidized pump and haul location with the goal of determining if new technology or revised regulations can make a repair or replacement feasible. If a repair or replacement is deemed feasible, the County will so inform the owner and discontinue subsidized pump and haul services after a suitable period, not to exceed 6 months, for the owner to construct the needed repair or replacement. Upon request, any owner whose pump and haul contract is not renewed shall be entitled to a refund of the original availability fee paid. The property owner will be required to sign a new contract for pump and haul service for subsequent 10-year periods, or less, if there continues to be no feasible means of repairing or replacing the failed drainfield. The customer will also be required to provide proof that the pump and haul contract has been filed with the Circuit Court linked to the property.
- C. Properties whose original on-site sewage disposal system was constructed after August 19, 1997, are not eligible for subsidized pump and haul services.
- D. New applicants for pump and haul service are responsible for working with the Virginia Department of Health (VDH) and a licensed AOSE to investigate all on-site alternatives and technically feasible off-site alternatives for correction of the problem.
- E. The County Administrator, or his designee, may approve a property meeting the following criteria for subsidized pump and haul service:
 - (1) VDH must certify in writing that there are no technically feasible conventional on-site alternatives for replacement or repair of the failed system or installation of a new system.

- (2) A licensed AOSE must certify in writing that there are no technically feasible on-site alternative systems for sewage disposal.
 - (3) The property owner must demonstrate that there are no technically feasible and practicable off-site alternatives for a sewage disposal system.
 - (4) There must be no feasible opportunity for use of a direct discharge system.
 - (5) The property owner must have submitted an application for Pump and Haul Service to the Department of Utilities, and both the Department of Utilities and the Utilities Commission must have recommended approval of the application.
 - (6) It must be an owner occupied residential dwelling or place of worship.
 - (7) Temporary pump and haul customers which meet the requirements outlined in Section 3.O of this policy.
- F. If a property is determined to qualify for subsidized pump and haul service, the property owner must obtain a storage facility construction permit from VDH. The property owner will be required to install a new watertight 2,000-gallon storage tank that is accessible for pumping. The tank will be required to have an alarm to indicate when it is almost full and must be constructed to prevent any overflows. The construction permit for the storage facility will be conditioned upon the property owner recording with the Circuit Court attached to the Deed of the property, the construction permit for the tank and the fact that the property is on pump and haul.
- G. The property owner and the County shall enter into a contract for services for a period not to exceed ten (10) years. If the property is sold, the contract shall be transferable to the new owner, upon approval of the County.
- H. Upon certification from VDH that the 2,000-gallon storage tank has been satisfactorily completed, the County will have the property added to its pump and haul permit from VDH.
- I. Subsidized pump and haul customers (Grandfathered, Temporary and Prorated) shall be responsible for the following fees and charges in accordance with rates established by the Board.

- (1) Availability and Connection Charge: These fees shall only become payable should public sewer become available, and the property is physically connected to the public sewer system. The amount of the fees shall be the fees in existence at the time actual connection to the public sewer is made and shall be the same as all other new customers pay.
 - (2) User Fees: Monthly charges that shall include a demand charge, a service fee, and a consumption fee. The Consumption fee will be based on the Pump and Haul monthly service charge as determined by the Board of Supervisors on the Utility Rate Schedule for Grandfathered subsidized customers and Temporary subsidized customers, it will be based on the prorated actual cost for Prorated subsidized customers as outlined in Section 3.S.(5) of this policy.
 - (3) The County may assess an annual administrative charge for the Department of Utilities to monitor conformance with the terms of the pump and haul contract.
- J. In some cases, it may be possible to use pump and haul on a seasonal basis. In other cases, after several years have elapsed, the drainfield may recover and could be used again. In both cases, the property owner must obtain VDH approval prior to resuming use of the drainfield. In addition, a valve and/or overflow device would have to be installed to allow any water backing up from the on-site septic tank to flow to the 2,000-gallon storage tank.
- K. The property owner is responsible for the scheduling and cost of pumping the storage tank in accordance with all applicable regulations. In addition, the property owner is responsible for ensuring that no sewage overflows from the tank or plumbing system occur.
- L. The property owner is responsible for having water saving devices installed on the building plumbing before the pump and haul services begin.
- M. The property owner may not expand and/or modify the existing structure unless such expansion or modification is approved, in advance, by the Utilities Commission and the County Administrator.
- N. The County may choose to extend public sewer service to an area when there are sufficient pump and haul properties in the area to warrant the public service. The decision to extend public sewer will be based on the cost-effectiveness of the extension and the impact on growth in the area. The Utilities Commission shall review the Pump and Haul Sewer Service

- Policy periodically; make appropriate revisions, as necessary; and determine areas where it may be cost-effective to extend sewer mains to eliminate the need for pump and haul services.
- O. If a Sewer Extension Project has been approved under the County's Water and Sewer Line Extension Policy (R04-217/R94-122(R-3)), temporary pump and haul service may be provided as follows:
- (1) The Sewer Extension Project must be scheduled for completion within twenty-four (24) months of the request for pump and haul service.
 - (2) In lieu of constructing a 2000-gallon storage tank under paragraph 3.F of this policy, the existing on-site tank may be utilized if it is watertight and holds at least 1,000 gallons.
 - (3) The property owner shall pay the charges required in paragraph 2(I) and comply with the remaining provisions of the policy.
 - (4) If the contemplated Sewer Extension Project is delayed beyond twenty-four (24) months, the County may place the property on its pump and haul permit, require the construction of a 2000-gallon holding tank, and enter into a revised contract for services with the owner. The Director of Utilities may terminate service if the property owner fails to comply with these requirements.
 - (5) The Director of Utilities may approve temporary pump and haul service for properties planned to be served by Short Extension Projects constructed under adopted Resolutions R04-217/R94-122(R-3). Authorization by the County Administrator is required to provide temporary pump and haul services for properties planned to be served by Neighborhood Projects, Large Scale Projects, and Capital Improvement Program Projects.
- P. Should VDH revoke or amend the County's Pump and Haul Permit, the County may require termination of, or changes to, each property owner's contract.
- Q. Under the following circumstances, the County may, without prior notice, remove a property from its Pump and Haul Permit:
- (1) The property owner fails to supply the County with proof that the storage tank is being regularly and legally pumped out.
 - (2) The County becomes aware of sewage overflows or other discharges to the environment.

- (3) County officials are denied access to the property for the purpose of inspection.
 - (4) The property no longer meets the criteria for subsidized pump and haul.
- R. The County will remove the property from its Pump and Haul permit if public sewer becomes available to the property.
- S. Subsidies Provided by the County for Pump and Haul Costs
- (1) In some instances, the County may, with approval from the Board of Supervisors, provide a subsidy covering some, or all, of the property owner's cost to install the required 2,000 gallon storage tank and to have the storage tank pumped out. Subsidies are only available for owner-occupied properties.
 - (2) For prorated subsidized pump and haul customers, the degree to which the costs for pump and haul are subsidized by the County shall be based upon the relationship of the documented gross annual income of the applicant and immediate family living in the home, as reflected on the most recent Federal tax return(s), to the current poverty level income for the family size as reported by the U. S. Department of Health & Human Services and published annually in the *Federal Register*.
 - (3) For subsidized properties only, the County will administer the pump and haul services which will be procured from a private contractor. Each property owner receiving a subsidy will be billed on a monthly basis for his/her portion of the pump and haul cost in addition to the charges and fees shown in Section 3.I above.
 - (4) No property owner shall be eligible for pump and haul services if the problem, as determined by the Utilities Commission, is self-inflicted, such as failure to pump out the septic tank on a regular basis, avoidable damage to the reserve drainfield site, or similar causes for failure.
 - (5) The amount of any subsidy provided for Prorated pump and haul customers will be determined as follows:

<u>Percent of Poverty Guideline * Percent Subsidy</u>	
<u>For Family Size</u>	<u>Provided</u>

<u>200% or less</u>	<u>100%</u>
<u>210%</u>	<u>90%</u>
<u>220%</u>	<u>80%</u>
<u>230%</u>	<u>70%</u>
<u>240%</u>	<u>60%</u>
<u>250%</u>	<u>50%</u>
<u>260%</u>	<u>40%</u>
<u>270%</u>	<u>30%</u>
<u>280%</u>	<u>20%</u>
<u>290%</u>	<u>10%</u>
<u>300% or more</u>	<u>0%</u>

- As issued each year in the *Federal Register* by the U.S. Department of Health and Human Services

T. If an applicant is not approved for subsidized pump and haul, or does not agree with the amount of subsidy, he may, within ten (10) days of the date of notification of such a decision, appeal the decision to the Board of Supervisors, through the Utilities Commission. Such appeal shall be made in writing to the Director of Utilities and shall state the specific act or interpretation which is being appealed.

4. **Policy Elements for Non-Subsidized Pump and Haul Permits**

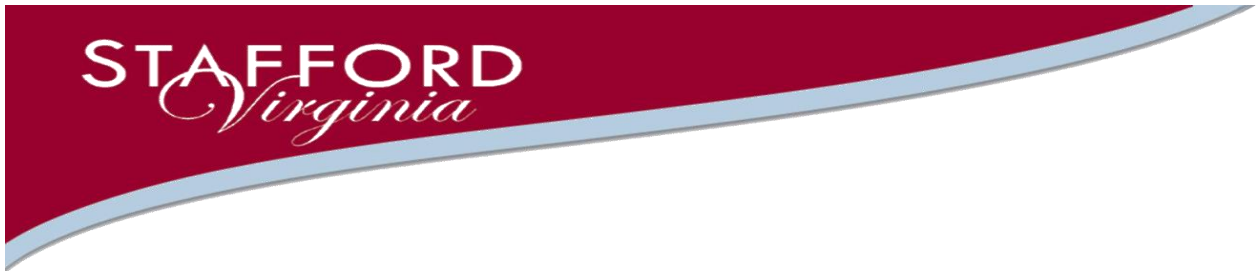
- A. The property owner of a failing on-site sewage disposal system is responsible for working with VDH to investigate all on-site alternatives for sewage disposal.
- B. Only those properties with existing structures with a history of occupation for which VDH certifies in writing that no “feasible” means of on-site sewage disposal exists, and the County Department of Utilities finds that extension of public sewer at the property owner’s expense is not cost effective, are eligible to be place on the County’s Pump and

- Haul permit. New structures will not be considered unless they are being used for the direct marketing of aquaculture, agricultural or silvacultral products or unless they are commercial, industrial or instructional uses and public sewer is anticipated to become available in the near future.
- C. The County and property owner shall enter into a contract governing conditions under which the property will be added to the County's Pump and Haul permit. As a minimum, the contract shall grant the County the right to enter the property to inspect facilities related to sewage holding and disposal, and require the property owner to submit evidence that the holding tank is being pumped on a regular basis. The contract shall be transferable to a new owner as the property is sold. The construction permit for the sewage facility shall be conditional upon the property owner recording it with the deed to the property.
- D. The property owner must obtain a storage facility construction permit from the Virginia Department of Health. The property owner will be required to install, at his or her sole expense, a new watertight 2,000-gallon storage tank, which is accessible for pumping. The tank shall be equipped with an alarm system to indicate when it is almost full and shall be constructed as to not overflow. All sewage generated on the property shall be discarded in the holding tank.
- E. Upon certification from the Virginia Department of Health that the 2,000-gallon storage tank has been satisfactory completed, the County will add the property to its permanent Pump and Haul Permit with the Virginia Department of Health.
- F. The property owner is responsible for the administration and cost of pumping the storage tank in accordance with all applicable regulations. All property owners are responsible for ensuring that no sewage overflows from the tank or plumbing system.
- G. The property owner may not expand and/or modify the existing structure. Exceptions to this policy require approval on a case by case basis by the Utilities Commission and the Board of Supervisors.
- H. The County may assess an annual administrative charge for the Department of Utilities to monitor conformance with terms of the contract.

- I. Should the Virginia Department of Health revoke or amend the County's Pump and Haul Permit, the County may require termination or changes to each property owner's contract.
- U. Under the following circumstances, the County may, without prior notice, remove the property from its Pump and Haul Permit: Under the following circumstances, the County may, without prior notice, remove a property from its Pump and Haul Permit:
 - (1) The property owner fails to supply the County with proof that the storage tank is being regularly and legally pumped out.
 - (2) The County becomes aware of sewage overflows or other discharges to the environment.
 - (3) County officials are denied access to the property for the purpose of inspection.
- J. The County will remove the property from its Pump and Haul permit if public sewer becomes available to the property.

BE IT FURTHER RESOLVED that the preceding policy be and it hereby is adopted for pump and haul services.

AJR:MTS:cdg



BOARD OF SUPERVISORS Agenda Item

Meeting Date:	March 3, 2015
Title:	Authorize the County Administrator to Execute a Contract with Branch Highways, Inc., for Construction of Phases I and II of the Poplar Road Improvement Project; and with Rinker Design Associates for Construction Engineering Services on Phases I and II of the Poplar Road Improvement Project
Department:	Public Works
Staff Contact:	Christopher Rapp, P.E., Director
Board Committee/ Other BACC:	N/A
Staff Recommendation:	Approval
Budget Impact:	See Background Report
Time Sensitivity:	N/A

ATTACHMENTS:

1.	Background Report	2.	Proposed Resolution R15-84 (Branch Highways, Inc.)
		3.	Proposed Resolution R15-85 (Rinker Design Assoc.)

X	Consent Agenda		Other Business		Unfinished Business
	Discussion		Presentation		Work Session
	New Business		Public Hearing		Add-On

REVIEW:

X	County Administrator	
X	County Attorney	
X	Finance and Budget	

DISTRICT:	Hartwood
------------------	----------

BACKGROUND REPORT

The Board identified the completion of road improvements on Poplar Road from Warrenton Road to Cedar Crest Lane as a critical part of the County's road improvement plan.

The Poplar Road Improvement Project is comprised of two phases. Phase I is a Central West Impact Fee Area project intended to improve traffic flow in the area along Poplar Road from Warrenton Road to a point slightly north of Truslow Road.

Phase II is located at the terminus of Phase I and extends north along Poplar Road to the intersection of Cedar Crest Lane. Phase II will be funded from the Transportation Fund and is part of the 2008 Transportation Bond Referendum. Originally this project was located farther north along Poplar Road but was shifted southward to address safety needs and to straighten a dangerous curve. Phases I and II will be built as one construction project to facilitate procurement, construction activities, and realize cost savings.

The Public Works Department advertised the combined projects for public bids, and received 4 bids for the construction of Phase I and II of the Poplar Road safety improvements project (Project). The four bids are tabulated below:

Branch Highways, Inc.	\$3,222,140
J.L. Kent & Sons, Inc.	\$3,686,968
Phillips Construction, LLC.	\$4,596,262
Corinthian Contractors, Inc.	\$4,692,451

Staff reviewed the bids and recommends the award of a contract to Branch Highways, Inc., in an amount not to exceed \$3,222,140, for the construction of Phases I and II of the Project. Funding for this Project is available in the Transportation Fund and in the Central West Impact Fee Area Fund. A portion of the necessary funding is provided by the Virginia Department of Transportation's (VDOT) Revenue Sharing Program. Proposed Resolution R15-84 authorizes the County Administrator to execute a construction contract with Branch Highways, Inc., in an amount not to exceed \$3,222,140.

Rinker Design Associates, P.C., (RDA) submitted a proposal for construction engineering inspection services for Phases I & II of the Project. The scope of services for the RDA contract includes 15 months of quality control inspection and testing in accordance with VDOT standards, preparation and maintenance of associated Project documentation, and submission of final records. The proposed cost for these services is \$761,409.

RDA designed the Project and is therefore, familiar with the work. RDA's knowledge of the design allows it to work with a construction contractor to complete the Project in a timely, efficient, and cost-effective manner. Proposed Resolution R15-85 authorizes the County Administrator to execute a contract with RDA for construction engineering inspection services in an amount not to exceed \$761,409.

Funding for the Phase I portion of these two contracts, \$2,286,531, is available from the Central West Impact Fee Area Funds. Funding for the Phase II portion of these two contracts, \$1,697,018, is available from the Transportation Fund. The Phase II Transportation Fund amount will be reimbursed for 50% of the total cost through the VDOT Revenue Sharing Program.

Staff recommends approval of proposed Resolutions R15-84 and R15-85.

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 3rd day of March, 2015:

MEMBERS:

Gary F. Snellings, Chairman
Laura A. Sellers, Vice Chairman
Meg Bohmke
Jack R. Cavalier
Paul V. Milde, III
Cord A. Sterling
Robert "Bob" Thomas, Jr.

VOTE:

On motion of , seconded by , which carried by a vote of , the following was adopted:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH BRANCH HIGHWAYS, INC., FOR CONSTRUCTION OF PHASES I AND II OF THE POPLAR ROAD SAFETY IMPROVEMENTS PROJECT, IN THE HARTWOOD ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Poplar Road, from Warrenton Road to Cedar Crest Lane (Poplar Road Safety Improvements Project), as a critical part of the County's road improvement plan; and

WHEREAS, the Board desires to begin construction of the improvements on Poplar Road (SR-616), from Warrenton Road (US-17) to Cedar Crest Lane; and

WHEREAS, the design of the road improvements were completed and offered for public bid; and

WHEREAS, improvements to Phase I of Poplar Road will be funded through the Central West Impact Fee Area Fund; and

WHEREAS, improvements to Phase II of Poplar Road will be funded through the County's Transportation Fund, and the Virginia Department of Transportation's (VDOT) Revenue Sharing Program; and

WHEREAS, four bids were submitted, with the lowest bid provided by Branch Highways, Inc., in the amount of \$3,222,140; and

WHEREAS, staff reviewed the bids and determined that Branch Highways, Inc., is the lowest responsive and responsible bidder; and

WHEREAS, VDOT reviewed the bids and approved the Branch Highways, Inc., bid for award;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of March, 2015, that the County Administrator be and he hereby is authorized to execute a contract with Branch Highways, Inc., in an amount not to exceed Three Million Two Hundred Twenty-two Thousand One Hundred Forty Dollars (\$3,222,140) for the construction of Phases I and II of the Poplar Road Safety Improvements Project (Project), unless modified by a duly-authorized change order; and

BE IT FURTHER RESOLVED, that the amount of One Million Nine Hundred Five Thousand Eight Hundred Twenty-six Dollars (\$1,905,826) in the Central West Impact Fee Area Fund is budgeted and appropriated for this Project; and

BE IT STILL FURTHER RESOLVED, that the amount of One Million Three Hundred Sixteen Thousand Three Hundred Fourteen Dollars (\$1,316,314), in the Transportation Fund, is budgeted and appropriated for this Project.

AJR:ckr:elk:tbm

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 3rd day of March, 2015:

MEMBERS:

Gary F. Snellings, Chairman
Laura A. Sellers, Vice Chairman
Meg Bohmke
Jack R. Cavalier
Paul V. Milde, III
Cord A. Sterling
Robert "Bob" Thomas, Jr.

VOTE:

On motion of , seconded by , which carried by a vote of , the following was adopted:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO AWARD A CONTRACT FOR CONSTRUCTION ENGINEERING
INSPECTION SERVICES TO RINKER DESIGN ASSOCIATES, P.C.,
FOR THE POPLAR ROAD SAFETY IMPROVEMENTS PROJECT, IN
THE HARTWOOD ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Poplar Road, from Warrenton Road to Cedar Crest Lane (Poplar Road Safety Improvements Project), as a critical part of the County's road improvement plan; and

WHEREAS, the Board desires to begin construction of the improvements on Poplar Road (SR-616), from Warrenton Road (US-17) to Cedar Crest Lane; and

WHEREAS, improvements to Poplar Road will be funded through the County's Transportation Fund, Virginia Department of Transportation's (VDOT) Revenue Sharing, and the Central West Impact Fee Area Fund; and

WHEREAS, staff determined that Rinker Design Associates, P.C. is best qualified to provide these services; and

WHEREAS, Rinker Design Associates, P.C. submitted a cost proposal to perform the construction engineering and inspection services; and

WHEREAS, staff determined that this proposal is reasonable for the scope of work proposed;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of March, 2015, that the County Administrator be and he hereby is authorized to award a contract with Rinker Design Associates, P.C., in an amount not to exceed Seven Hundred Sixty-one Thousand Four Hundred Nine Dollars (\$761,409) for construction engineering inspection services for the Poplar Road Safety Improvements Project (Project), unless modified by a duly-authorized change order; and

BE IT FURTHER RESOLVED, that the amount of Three Hundred Eighty Thousand Seven Hundred Five Dollars (\$380,705) in the Central West Impact Fee Area Fund is budgeted and appropriated for this Project; and

BE IT STILL FURTHER RESOLVED, that the amount of Three Hundred Eighty Thousand Seven Hundred Four Dollars (\$380,704), in the Transportation Fund, is budgeted and appropriated for this Project.

AJR:ckr:elk:tbm