

**MINUTES OF THE
EASTERN SHORE OF VIRGINIA
PUBLIC SERVICE AUTHORITY**

A meeting of the Eastern Shore of Virginia Public Service Authority was held on Tuesday, August 20, 2013, at 7:00 p.m. in the main conference room of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia.

Members present:

Bob Panek, Chairman
J. T. Holland, Vice Chairman
Carl Harris
John Reiter
Garrett Dunham

Members absent:

Felton Sessoms
Greg Hardesty
Zeke Jackson
Sean Ingram

Others present:

Janice K. Williams, County Administrator's Office
Katherine H. Nunez, Executive Director and County Administrator
Deborah Bender, citizen
Frank Wendell, citizen
Mike Steelman, citizen
Phil Morris, citizen
Keith Like, citizen
Wayne Downing, citizen
Phil Richardson, citizen

Call to Order & Establishment of Quorum:

Chairman Panek called the meeting to order and announced that a quorum was present. Due to the size of the audience present, the meeting was moved to the larger Board Room.

Approval of Agenda:

Motion was made by Mr. Holland, seconded by Mr. Harris, that the agenda be approved as presented. All members were present with the exceptions of Mr. Sessoms, Mr. Ingram, Mr. Jackson and Mr. Hardesty and voted “yes.” The motion was unanimously passed.

Statements from the Public:

Motion was made by Mr. Reiter, seconded by Mr. Holland, that citizen comment be limited to three minutes each and that the conveyance of minutes from other speakers not be allowed. All members were present with the exceptions of Mr. Ingram, Mr. Sessoms, Mr. Hardesty and Mr. Jackson and voted “yes.” The motion was unanimously passed.

Mrs. Deborah Bender of 300 Fulcher Street in Cape Charles, stated that as a property owner, she was against the proposed pipe going out to the highway from Cape Charles. She said that we do not need it and that it would hurt the Cape Charles businesses. She said that it was not fair to the taxpayers to take on the additional burden and may shut down small businesses.

Mr. Frank Wendell of 515 Monroe Avenue in Cape Charles, stated that information should be distributed prior to any contract execution, as is proposed later on tonight’s agenda. He stated that of the 69 surveys issued, only 10 responses were received and he thought that was not enough participation to warrant moving forward with the project. He also questioned the use of a special tax district, noting that citizens would be asked to shoulder this burden without enough knowledge. He said that the PSA does not know enough about getting involved with the Cape Charles utility system.

Mr. Mike Steelman of 22287 South Bayside Road in Cheriton, stated that he owned several small businesses and that the PSA was “putting the cart before the horse” with regard to this proposed project. He questioned the need for the project in light of the County’s reduced population. Finally, he stated that he had already spent \$40,000 for septic upgrades on his property and that he would not participate in the project.

Mr. Phil Morris, owner of Cape Charles Marine, stated the he could not afford to pay for the proposed system and questioned why the county citizens should pay for “what Cape Charles messed up?” He stated that Cape Charles is trying to dig out of the hole that they were in and that he would be driven out of business if the proposed project proceeds. He submitted a listing of questions and requested a response to same.

Mr. Keith Like, owner of Cape Charles Seafood at 22121 South Bayside Road in Cheriton, said that he did not see the need for the system but was open-minded about it. He questioned if the PSA believed that the project would bring jobs and business in the future. He asked for additional information.

Mr. Wayne Downing, owner of Wayne’s Diesel, said that he would close his business if the system is built and that he left Cape Charles to get away from that situation.

Mr. Phil Richardson of 23347 South Bayside Road in Cheriton, said that he does not want the proposed system and does not need it.

Approval of Minutes:

Motion was made by Mr. Harris, seconded by Mr. Holland, that the minutes of the meeting of July 16, 2013 be approved. All members were present with the exceptions of Mr. Sessoms, Mr. Ingram, Mr. Jackson and Mr. Hardesty and voted “yes”. The motion was unanimously passed.

Review of Financial Statements:

As no funds have been expended since last month’s financial report, no new report was provided.

Report of the Officers – Chairman

Mr. Panek indicated that his comments will be made under the Southern Node report.

Report of the Officers – Vice Chairman:

Mr. Holland had no report.

Report of Hospital Committee:

No report.

Report of Northern Node Committee:

No report.

Report of Southern Node Committee:

Ms. Nunez read the memorandum as received from the County, relaying the Board’s recent actions as set out below:

MEMORANDUM:

TO: *E. S. of Va. Public Service Authority*

FROM: *Katie H. Nunez*
County Administrator

DATE: *July 24, 2013*

SUBJECT: *Action by Northampton County Board of Supervisors re:*
Southern Node Commercial District, Phase I

At its meeting of July 22, 2013, the Northampton County Board of Supervisors took the following actions with regard to the Southern Node Commercial District, Phase I:

(a) authorized staff to schedule a public hearing to consider creating a tax district and service district called the Southern Node Commercial District Phase I, utilizing the Option B Funding Plan;

(b) requested the PSA to conduct a financial review and analysis of the Cape Charles Sewer System and to prepare a detailed draft agreement to purchase service for the proposed Southern Node Commercial District Phase I; this financial review and analysis along with the tentative agreement need to be provided to the Board prior to any board vote on the creation of a tax district and service district; and

(c) Assigned the Request for Proposals for Engineering Services, issued March 13, 2013, and subsequent contract award to the selected vendor of Hurt & Proffitt to the PSA to engage them for any engineering services needed to move this project forward.

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Mr. Panek said that the information sought in item (b) above has been requested from the Town of Cape Charles and that once received, will be provided to the Southern Node Committee, and eventually to the full PSA, for review and recommendation.

Report of Economic Development Committee:

There was no report.

New Business – Authorizing Hurt & Proffitt Contract Amendment

The Chairman summarized the proposed contract amendment, indicating that topographic surveying, base mapping, and preliminary engineering services are being requested for a Southern Node Phase 1 Wastewater Project. Following comments from the membership, motion was made by Mr. Holland, seconded by Mr. Harris, that this matter be tabled, pending additional review of the original contract terms and conditions. All members were present with the exceptions of Mr. Sessoms, Mr. Jackson, Mr. Ingram and Mr. Hardesty and voted “yes.” The motion was unanimously passed.

New Business – Scheduling Information Session

The Chairman distributed a powerpoint presentation he had recently shared with the Cape Charles Business Association, and asked that the PSA members review the information and provide comments/suggestions as soon as possible. He felt that this format could provide a starting point for the public information session. In that regard, staff proposed holding such meeting in the local area, possibly the Cheriton Fire House, on September 17th, at 7:00 p.m. – the

next regularly scheduled meeting date for the PSA. Motion was so made by Mr. Holland and seconded by Mr. Reiter. All members were present with the exceptions of Mr. Sessoms, Mr. Hardesty, Mr. Jackson and Mr. Ingram and voted “yes.” The motion was unanimously passed.

It is noted for the record that the Fire House was not available on Tuesday, September 17th; therefore, the public information session, as well as the next regularly scheduled meeting of the PSA will be held on Monday, September 16, 2013, commencing at 7:00 p.m.

Adjourn:

Motion was made by Mr. Holland, seconded by Mr. Harris, that the meeting be adjourned. All members were present with the exceptions of Mr. Sessoms, Mr. Jackson, Mr. Ingram and Mr. Hardesty and voted “yes.” The motion was unanimously passed.

The meeting was adjourned at 7:50 p.m.