

JANUARY 19, 2023

A REGULARLY SCHEDULED MEETING OF THE BOARD OF DIRECTORS OF THE UPPER OCCOQUAN SERVICE AUTHORITY WAS HELD JANUARY 19, 2023 IN THE CHARLES P. BOEPPLE BUILDING LOCATED AT 14631 COMPTON ROAD, CENTREVILLE, VIRGINIA 20121.

A. Calling of the Meeting to Order

1. The Board of Directors of the Upper Occoquan Service Authority convened its Regularly Scheduled Meeting at 4:00 P.M.

**Directors Present:**

Tony H. Dawood  
Calvin D. Farr, Jr.  
Gary L. Fields  
Michael McGrath

Shahram Mohsenin  
Jeanette M. Rishell (via electronic video conferencing)  
Glenn Simpson  
Nancy Vehrs

**Directors Absent:**

None

**Others Present:**

UOSA Staff:

Robert W. Angelotti  
Brian L. Owsenek  
Kevin D. Wolfe  
John W. Airhart  
June A. Mahoney

Legal Counsel:

Sally Ann Hostetler, Odin, Feldman, & Pittleman, P.C.

Engineer:

Don Forgacs, Jacobs

B. Approval of Board Member Electronic Participation

1. Chairman Mohsenin advised that Director Rishell wished to participate remotely due to personal matters. Pursuant to UOSA's Electronic Meeting Policy, Director Rishell was asked to identify the nature of the personal matter and state her current location.
2. Director Rishell (who was attending via video conference) stated that she had back-to-back meetings that prevented her from commuting to both meetings and therefore was attending remotely at her personal residence in the City of Manassas Park. This is the first remote participation for Director Rishell in 2023.
3. By unanimous consent, Chairman Mohsenin heard no objections and permitted Director Rishell's remote participation.

C. Approval of Minutes

1. Chairman Mohsenin referenced the Board Minutes dated November 17, 2022 and asked the Board for their approval.

MOTION: Director Vehrs moved to approve the minutes of the November 17, 2022 Board meeting.

SECOND: Director Simpson

VOTE: Unanimous

D. Public Comment Time

1. Chairman Mohsenin asked if there was any known interest or request received by the Public to speak at the meeting.
2. Ms. Mahoney stated that none were received ahead of the meeting. None were brought forward during the meeting.

E. Financial Reports

1. Chairman Mohsenin referenced staff memorandum, *November 2022 Financial Summary* (filed as Exhibit A) and *December 2022 Financial Summary* (filed as Exhibit B) and asked for Mr. Wolfe to focus his report on the later of the two unless there is something to highlight otherwise.
  - a. Mr. Wolfe brought attention to one highlight that he wanted to mention from the November summary. His continued efforts that began in December 2021 to work with FEMA and the Virginia Department of Emergency Management for ongoing reimbursement for COVID related expenses such as masks, cleaning supplies, supplemental cleaning, shields and barriers, resulted in a reimbursement to UOSA. He was happy to report that in November 2022 UOSA received a public assistance grant from FEMA for just over \$75,000; the amount was applied towards the November expenses.
  - b. Mr. Wolfe stated that the December Financial Summary reflected lower O&M expenses than planned primarily due to budget timing differences for Contract Services and lower Miscellaneous, Electric Power, and Personnel expenses, partially offset by higher Facilities Maintenance and Process Chemicals expenses than planned. Flows were 5.2 percent lower than planned for the month. Year-to-date FY-23 expenses through December were lower than budget by approximately \$581,000, primarily due to lower Personnel and Miscellaneous expenses and budget timing differences for Contract Services, partially offset by higher Facilities Maintenance and Electric Power expenses. Year-to-date flows were 9.7 percent lower than planned.
  - c. Mr. Wolfe further explained the over budget position in December for Facilities Maintenance. For Rental Equipment we had a large dredging project at ERP 2. He said the rental equipment used was a moxie truck and track loader needed to complete the dredging project. He said an additional bucket loader was rented while UOSA's landfill loader was offline for repairs and maintenance at the time. For Outside Services, a carbon change out was performed in December along with several other expensive repairs and maintenance jobs that were outsourced. For Buildings and Grounds, there were some pothole repairs. He advised that as the FY-24 budget period approaches, staff would take these types of facilities maintenance expenses into consideration.

MOTION: Director McGrath moved to receive and file the November and December 2022 Financial Summaries.

SECOND: Director Simpson

VOTE: Unanimous

F. FY-23 Second Quarter Plant Performance Report

1. Chairman Mohsenin referenced staff memorandum, *FY-23 Second Quarter Plant Performance Report* (filed as Exhibit C).
  - a. Mr. Owsenek reported that performance during the quarter was excellent as the plant continued outstanding performance through the fiscal year. He pointed out that in December 2022, TKN concentrations were uncomfortably high even though the permit limits were met. He said a combination of factors occurring late in the month contributed, such as very cold temperatures, high flows, some construction related disruptions, and most importantly, a need for better training combined with the limited experience of staff present over the holidays. He stated that a great deal of talented operator experience has been lost due to retirements and continued turnover is an issue among the more junior operating staff. The good news was that senior operation staff caught the problem and are using this event as a learning opportunity and to refocus efforts on operator training.
  - b. He announced that staff's hard work resulted in UOSA remaining eligible to receive the NACWA 18 Platinum Peak Performance Award. He said that while every year has its challenges, it takes tremendous skill, knowledge, and commitment on part of the entire UOSA team to deliver the results we have had for the past eighteen years.
  - c. Chairman Mohsenin congratulated the staff for this achievement once again. He said that the term "excellent performance" is not taken for granted and staff's hard work is recognized and appreciated.

MOTION: Director Simpson moved to receive and file the FY-23 Second Quarter Plant Performance Report.

SECOND: Director Vehrs

VOTE: Unanimous

G. Major Project Reports

1. Chairman Mohsenin referenced staff memorandum, *January 2023 Project Summary* (filed as Exhibit D).
  - a. Mr. Airhart reported on Plant Projects. He stated that for the MFF (Methanol Feeding Facility) project, the last item needed to move forward with the project advertisement is to obtain the sales tax exemption status. This is on the agenda as a separate item of discussion.
  - b. He provided an update for the NOVEC transformer replacement project, he advised that he was given a verbal confirmation by the NOVEC project manager that the vendor located the components in question, and they are working on a delivery date to UOSA so NOVEC's installer can be brought in.
  - c. In response to Chairman Mohsenin, Mr. Airhart stated that if there was a need for UOSA to bring in the backup transformer unit prior to the new units being installed, that NOVEC has one on hand. The lead time to have NOVEC's transformer onsite and connected would be four days. Mr. Angelotti reassured the Board that UOSA would use their backup generators to power the plant until the transformer could be online.
  - d. Mr. Airhart stated that the Contract AWT (Advanced Wastewater Treatment) installation of electrical gear is ongoing while the project is

currently 62 days behind schedule. A recovery schedule from the contractor has been requested. Staff is looking at ways to mitigate the impacts by running some commissioning activities concurrently, rather than in series. The Substantial Completion Date is unchanged at May 10, 2023.

- e. The Ozone Biofiltration (Contract OBF) project and the Building U Centrifuge Upgrade (Contract U2) both await permits from Fairfax County.
- f. The P2NR Plus (Phase 2 Nutrient Reduction Plus) PER was transmitted to DEQ as the first step in the WQIF grant funding application process. Several technical memos that were required to be developed under the engineering task order are being reviewed. Additionally, testing plans to assess the condition of underground electrical infrastructure were developed.
- g. Mr. Airhart reported on the single active Delivery System Project, the YPIU (Yorkshire Park Interceptor Upgrade). The project remains on hold until conflicts with the Route 28 Bypass project are better understood. Events have made it prudent for UOSA to wait until the PWC DOT design team finalizes a horizontal alignment of the road before UOSA can finalize the pipeline alignment and scope in that area of the project. He stated that staff are moving toward an approach that will break the project into separate phases so the area that is not impacted by the road alignment could move forward independently.
- h. Mr. Airhart said the Board may recall that last Spring, The Haskell Group, the contractor on the R2D2 project, had submitted the project to compete for the Associated Builders and Contractors Excellence in Construction award for the best environmental project in the Southeast Region. The R2D2 project won the Eagle Award and is now going to be considered at the national level. Mr. Airhart had the award on display at the meeting. He also respectfully acknowledged Mr. Shakil Ahmed, UOSA's project manager on the R2D2 project, and said he was pivotal in the project's success and the single best contract manager administrator he had ever worked with. He recognized Mr. Don Forgacs, from Jacobs, as the project manager on the engineering side and said they both contributed to a great team.

MOTION: Director Farr moved to receive and file the November 2022 Project Summary reports.

SECOND: Director Rishell

VOTE: Unanimous

- 2. Chairman Mohsenin referenced staff memorandum, *Laboratory Facility Upgrades (Contract LB) – Engineering Design Services Task Order No.* (filed as Exhibit E).

- a. Mr. Angelotti said the Board may recall that a project to renovate the building that houses the laboratory function, Building LB, was identified in the CIP, and staff began the upgrade effort last year with a roof replacement. He said the Board may also remember that this past Fall the Board asked staff to assess the infrastructure, and perform condition assessments, on any building or project that is intended to be funded with the 2022 bond series. Staff obtained the basis of design report from CDM Smith completing the preliminary engineering

portion of the job. Staff requested CDM Smith to prepare a task order for the engineering services needed to design, permit, and prepare construction bidding documents.

- b. In response to Director Farr, Mr. Angelotti agreed that consulting firms often include assumptions with their task orders and that situations are rare that project assumptions are so far off that it adds significant scope or cost to the job. He stated that when there are disputes resolution is successfully negotiated, when merited scope and cost is amended, and he further remarked that a contingency is often included in budgets to help deal with such situations.

MOTION: Director Fields moved to authorize the Executive Director to execute the Task Order No. 2 with CDM Smith Inc. for design of the Contract LB laboratory facility improvements.

SECOND: Director Simpson

VOTE: Unanimous

- 3. Chairman Mohsenin referenced staff memorandum, *Methanol Feed Facilities (Contract MFF) – Sales Tax Exemption Self Certification* (filed as Exhibit H).

- a. Mr. Angelotti advised that the General Assembly amended the related statute that now allows UOSA, as a subdivision certifying authority, to self-certify to the Commonwealth's Department of Taxation, that a project is for pollution control equipment and facilities thus qualify for sales tax exempt status. In the future, staff will combine the pollution control equipment certification request at the same time as its request for authorization to move forward with the invitation to bid. Since the Contract MFF advertisement was already approved by the Board, this is the last item needed before advertising the Contract MFF invitation to bid.
- b. In response to Director Rishell, Ms. Hostetler stated that the General Assembly amended the bill in July 2022 to permit certain local entities to self-certify their pollution control facilities as opposed to obtaining certification from DEQ. She advised that she would follow up with the specific bill number and information.

MOTION: Director McGrath moved to authorize the Executive Director to certify to the Department of Taxation that the new property for Contract MFF is for pollution control equipment and thus eligible for sales tax-exempt status.

SECOND: Director Vehrs

VOTE: Unanimous

## H. Staff Reports

### 1. Safety Briefing

- a. Mr. Angelotti announced that UOSA has 22 months without a lost time injury or accident! He said that is a direct reflection of the continued focus on workplace safety, and the staff continue to work hard to sustain that trend and are on their way to setting a new safety record for UOSA.
- b. Mr. Angelotti reported that UOSA had only four new COVID-19 cases since the November meeting. He said that because the incident rate

has dropped, UOSA is reassessing its internal policy and recent CDC information to move towards the pre-COVID practices where it can. He said one example of that is how the Board room is setup today, and that we no longer have strict room occupancy limitations or six-foot social distances to adhere to.

- c. Mr. Angelotti said the Crane Safety Program, one of UOSA's Safety Awareness initiatives, is going well and that the consultant met with staff last week and were escorted to the pump stations and shown that lifting equipment. In the following weeks the consultant will meet with crane operators to collect information to generate standard operating procedures and other training document deliverables for the program.
- d. Mr. Angelotti reported that UOSA experienced an unusual event related to its Hazard Communication program. A vendor provided an erroneous material safety data sheet and that triggered some internal activity, which spurred an investigation. Staff identified a few areas of the Hazard Communication Program requiring revisions because of this event.
- e. Mr. Angelotti reported that the OSHA Form 300 which records the injury history for the past calendar year would be prepared and posted by the January 31, 2023 deadline. He said there were zero reportable incidents which are serious ones that involve hospital care or loss of life. UOSA did have two recordable incidents, which are less severe, and those were for two separate cut finger events that required glue to close one wound and the other required a few stitches. Neither of these incidents resulted in lost time.
- f. In response to Director Dawood, Mr. Angelotti shared that UOSA does monitor changing environmental regulations, such as the one proposed about drinking water facility customer notifications related to PFAS detections. Drinking water regulations are not directly applicable to UOSA's wastewater facility. So, the drinking water space does not receive the same focus as regulations that directly impact UOSA. He stated that current activity to monitor drinking water regulations is limited due to staff availability, but expect it to resume after the Regulatory Affairs Division returns to a normal staffing level.

## 2. Executive Director's Report

- a. Mr. Angelotti reported that the 2022 Series Bond issue was successfully completed on December 1, 2022. He said UOSA received eight bids with the winning bid going to Raymond James with a true interest cost of 3.89 percent. The Board may recall that back in October the range was projected to be 4 or 4.5 percent. The market conditions improved which is great news for the jurisdiction's debt service costs. In response to Chairman Mohsenin, Mr. Wolfe said the bond proceeds came in at \$47 million (this was for Construction funds received).
- b. Mr. Angelotti advised that a final hardcopy of the published, annual comprehensive financial report for FY-22 was at the Board's places.
- c. Mr. Angelotti informed the Board that Occoquan Subcommittee meeting was being held the following day at DEQ's Northern Regional Office. He said UOSA's Deputy Director, Brian Owsenek, would be giving a short presentation, along with Fairfax Water, OWML, and DEQ. Discussions are expected by attendees with presentations sharing

information on sodium, PFAS, and the current effort to update the Occoquan Watershed Model for use as an analytical tool to assess the impacts on the reservoir from the regional land use decisions.

3. Legal Counsel's Report

- a. Ms. Hostetler stated there was nothing to report.

I. Closed Meeting

1. Chairman Mohsenin announced that a closed meeting was needed for the purpose of discussing personnel matters.

MOTION: Director Vehrs moved that the Board of Directors of the Upper Occoquan Service Authority (UOSA) convene a closed meeting at 4:36 P.M. pursuant to Virginia Code Section 2.2-3711 (A), Subsection 1, to discuss personnel matters.

SECOND: Director Simpson

VOTE: Unanimous

MOTION: Director Simpson moved to return to regular session at 5:16 P.M.

SECOND: Director Vehrs

VOTE: Unanimous

2. Chairman Mohsenin made the following certification pertaining to the closed meeting.

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Upper Occoquan Service Authority Board of Directors ("UOSA") has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS § 2.1-344.1 of the Code of Virginia requires a certification by UOSA that such closed meeting was conducted in conformity with Virginia law,

NOW, THEREFORE, BE IT RESOLVED that UOSA 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 in the closed meeting.

3. Chairman Mohsenin said, "You have before you the Certification of Closed Meeting." He said if any member of the Board believed there was a departure from this Certification, he/she should so state now, indicating the substance of the departure that, in his/her judgment, had taken place.

MOTION: Director Simpson moved to accept Certification of Closed Meeting.

SECOND: Director Vehrs

VOTE: Unanimous

MOTION: In accordance with the Executive Director's recommendation for the Board to use the same 0 – 5% pay for performance evaluation scale which is being used for UOSA staff this fiscal year, Director Farr moved to approve a salary increase of 5% for the Executive Director effective on his anniversary date to recognize his excellent performance.

SECOND: Director Vehrs

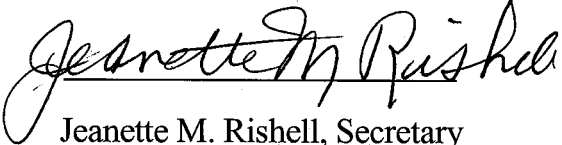
VOTE: Unanimous

J. Adjournment

MOTION: Chairman Mohsenin moved to adjourn at 5:18 P.M.

SECOND: Director McGrath

VOTE: Unanimous



Jeanette M. Rishell, Secretary  
UOSA Board of Directors

Date: February 16, 2023

*These minutes are unofficial until signed.*