

NORTHERN VIRGINIA REGIONAL COMMISSION

Minutes of the Commission Meeting Held Thursday, January 22, 2004

COMMISSIONERS

(The names of those present are highlighted)

Commissioner Hilda M. Barg	<i>County of Prince William</i>
Commissioner Johnine P. Barnes	<i>County of Fairfax</i>
Commissioner Charles J. Billand	<i>County of Loudoun</i>
Commissioner Albert J. Boudreau	Town of Vienna
Commissioner Melvin Bray	<i>Town of Dumfries</i>
Commissioner Sharon Bulova	County of Fairfax
Commissioner James C. Chesley	County of Fairfax
Commissioner Gerald E. Connolly	<i>County of Fairfax</i>
Commissioner Joan Cross	City of Fairfax
Commissioner Anna F. Dixon	<i>County of Fairfax</i>
Commissioner Joan DuBois	<i>County of Fairfax</i>
Commissioner William T. Druhan, Jr.	Town of Purcellville
Commissioner Albert C. Eisenberg	<i>County of Arlington</i>
Commissioner Barbara A. Favola, NVRC Treasurer	County of Arlington
Commissioner Jay Fisette	County of Arlington
Commissioner Robin Gardner	<i>City of Falls Church</i>
Commissioner Robert C. Goessman	<i>City of Manassas</i>
Commissioner Brenda Z. Greene	County of Fairfax
Commissioner Penelope A. Gross	County of Fairfax
Commissioner Edgar B. Holley	<i>County of Prince William</i>
Commissioner Catherine Hudgins	County of Fairfax
Commissioner John D. Jenkins	<i>County of Prince William</i>
Commissioner David Kirkpatrick, Jr.	City of Fairfax
Commissioner Lyman Krekel	City of Falls Church
Commissioner D. Patrick Lewis	County of Fairfax
Commissioner Jesse Ludvigsen	City of Manassas Park
Commissioner Elaine N. McConnell	<i>County of Fairfax</i>
Commissioner Natalie Mosher	City of Alexandria
Commissioner Michael O'Reilly	Town of Herndon
Commissioner Sally B. Ormsby	County of Fairfax
Commissioner Harry J. Parrish, II	City of Manassas
Commissioner Redella S. Pepper	<i>City of Alexandria</i>
Commissioner Lilla D. Richards	County of Fairfax
Commissioner Paul C. Smedberg	City of Alexandria
Commissioner Linda Smyth	County of Fairfax
Commissioner Stephen J. Snow	<i>County of Loudoun</i>
Commissioner J. Walter Tejada	<i>County of Arlington</i>
Commissioner Bruce E. Tulloch	<i>County of Loudoun</i>
Commissioner Kristen C. Umstattd, NVRC Vice Chairman	Town of Leesburg
Commissioner Don White	<i>County of Prince William</i>
Commissioner William R. Wren	City of Manassas Park
vacancy	<i>County of Prince William</i>

STAFF PRESENT

G. Mark Gibb	<i>Executive Director</i>
Linda M. Tenney	<i>Deputy Director</i>
Linda Summerall	<i>Executive Secretary</i>
Normand Goulet	<i>Sr. Environmental Planner/Information Systems Mgmt. Analyst</i>
Katherine Mull	<i>Senior Environmental Planner</i>
Doug Pickford	<i>Director, Environmental and Heritage Resources</i>
Michelle Simmons	<i>Director, Human Services</i>
Tylee Smith	<i>Information & Referral Program Manager</i>
James Van Zee	<i>Director, Regional Planning Services</i>

GUESTS PRESENT

Phil Allen
Jeanne Bailey
Harry Day
Stuart Raphael, Esq.
Sue Rowland

Vice Chairman, Fairfax County Water Authority
Public Information Officer, Fairfax County Water Authority
Chairman, Fairfax County Water Authority
Hunton and Williams
SR Consulting

- CALL TO ORDER** Vice Chairman Umstattd called the meeting to order at 8:04 p.m.
- PLEDGE OF ALLEGIANCE** The Pledge of Allegiance was recited by all present.
- ROLL CALL** The roll was called and all members present or absent were noted for the record.
- MINUTES** The minutes of the December 11, 2003, meeting of the Commission were moved, seconded and carried as written.
- PRESENTATION** *Northern Virginia Water Issues*
- Harry Day*
- *Aftermath of Hurricane Isabel*
Mr. Day reported that Hurricane Isabel knocked out power in all four of the Fairfax County Water Authority's plants, a first for the Water Authority. Mr. Day reported that the Water Authority has more redundant features in place than most water utilities in the U.S. The Water Authority is a priority customer of the power company, which worked diligently to restore the Water Authority's power, which was restored after 13 hours. Mr. Day added that a large percentage of customers were never without water. After service was restored, the health department needed to test the water for 48 hours to ensure its safety for drinking.
- The Water Authority is evaluating how it can strengthen service and system reliability. Up to ten additional elevated water tanks may need to be built to ensure the system's water supply in an area-wide event similar to Hurricane Isabel. However, if water cannot be produced during an extended power outage, the system will eventually go dry, no matter how much water is in storage.
- The Water Authority's engineers are investigating Fairfax County's cogeneration facility at Lorton as a possible new power source. This facility is near the Water Authority's new Occoquan water treatment plant. The cost could be as much as a \$50 million outlay, requiring a 14 percent rate increase.
- questions and answers*
- Commissioner Parrish asked how the decisions are made to spend the money to justify a 14 percent rate increase. Mr. Day explained the identified costs would be factored into ongoing construction plans. Currently, rates are increased five cents a year to avoid large increases every three to four years. Mr. Day noted that the Water Authority's rates are the lowest in the metropolitan region, and a 14 percent rate increase amounts to approximately \$20 more per year per household.
- Commissioner Richards suggested that the Water Authority increase its public relations efforts to let the public know that the rate increase is only approximately \$20 more per year.
- In reply to additional comments by Commissioner Richards, Mr. Day noted that the Water Authority is moving ahead with backup generators. Mr. Allen, the Water Authority's Vice Chairman, noted that the fixes to increase security and power redundancy are very expensive, very invasive in the communities, and they cannot be done instantaneously.

Commissioner Ludvigsen asked if the rate increase affects every service district. Mr. Day said the cost would be proportioned among the customers.

Commissioner Chesley noted that NOVEC has a better "up" time than Dominion Virginia Power and PEPCO, and asked if the Water Authority has considered changing electric utilities. Mr. Day said he was not sure NOVEC can service the Water Authority. Mr. Allen noted that NOVEC receives some of its power from Dominion Virginia Power.

Commissioner Hudgins commented on the need for better communication by the Water Authority to bring about a better understanding by the public of the problem, costs and the impact on the community.

Commissioner Gross informed the members that the Water Authority has been active in regional emergency planning. She added that it is important to give the Water Authority the opportunity to plan for the long term. Commissioner Gross added that if the Water Authority added generators it would also have to add fuel storage facilities as well, which have environmental considerations.

Commissioner Fisette stressed the importance of both good communication and avoiding over-reaction to a problem that in all likelihood will not happen again for 40 to 50 years.

Jeanne Bailey

Mr. Day introduced Ms. Bailey, the Water Authority's Public Information Officer. Ms. Bailey explained the Northern Virginia Public Information Officers meet monthly at NVRC and one item extensively reviewed by this group was Hurricane Isabel. Additionally, MWCOG is holding a communications workshop for the local governments and the water utilities.

Stuart Raphael, Esq. • *Landmark Supreme Court Case on the Potomac*

Mr. Day introduced Mr. Raphael, General Counsel for the Fairfax County Water Authority. He is a partner of the McLean office of Hunton and Williams. Mr. Raphael represented the Fairfax County Water Authority in its efforts to override Maryland's objections to the Water Authority's Potomac River offshore intake project. He was also lead counsel for the Commonwealth of Virginia in the case of Virginia v. Maryland.

Mr. Raphael noted that the average flow of water in the Potomac River is seven billion gallons per day. The Potomac River is the main water supply for the residents of the Washington, D.C., metropolitan region, serving a total population of approximately 3.7 million people.

Mr. Raphael provided a history of the Colonial-era grants that gave rise to the Supreme Court litigation. A suit was filed in February 2000. The Supreme Court took the case in May and appointed a special master in October. The special master decided in favor of Virginia. The Supreme Court rendered a decision on December 9, 2003, 7-2 in favor of Virginia.

CONSENT AGENDA Commissioner Favola moved the consent agenda, consisting of the financial reports for November and December 2003. The motion was seconded and unanimously carried.

EXECUTIVE DIRECTOR'S REPORT

Mr. Gibb reported that in addition to his report in the meeting package, a draft proposal from the Northern Virginia Fire Chiefs to formalize their relationship with the Northern Virginia Regional Commission had been distributed.

Also, the agreement between NVRC and the Verband Region Stuttgart expires this year, and the Verband Region is drafting a new agreement. Additionally, the Verband Region would like to host the Commission in either July or October.

The Governor's budget would result in a ten percent cut for the planning district commissions. However, Delegate May and Senator Wampler have introduced legislation restoring the funding. Also, Senator Mims has introduced legislation providing \$50,000 for the administration of the Northern Virginia Transportation Authority.

Mr. Gibb also reported that Fauquier County has expressed interest becoming a member of the Northern Virginia Regional Commission.

CHAIRMAN'S REPORT

Commissioner Umstatt reported that the Commission has four new members: two elected representatives from Fairfax County and two elected representatives from Loudoun County. She introduced Linda Smyth, the newly elected Fairfax County Supervisor for the Providence District, who was the only new member present.

RICHMOND REPORT

Ms. Rowland reported that NVRC's tracking report is on its website, WWW.NOVAREGION.ORG. The report is updated daily.

The deadline for budget amendments is January 22. Budget information can be found in the following bills: HB 30 (Governor), HB 108 (Louderback), HB 1081 (Parrish), SB 466 (Chichester), and SB 530 (Hangar).

Ms. Rowland called attention to the information distributed on Medicaid, noting that the committee will be asked to vote on each optional service currently provided by Medicaid. Commissioner Fisetette pointed out that state spending in Medicaid leverages federal dollars. He urged the localities to contact the committee chairman. Commissioner Favola suggested this information be added to the Commission's website. Ms. Simmons advised the members that she has forwarded this information to the various human services groups supported by NVRC.

COMMITTEE REPORTS

Commissioner Favola noted two resolutions from the Operations Committee had been distributed.

- A. Resolution No. P04-13: AUTHORIZATION TO SUBMIT A GRANT PROPOSAL TO THE VIRGINIA COMMISSION ON MILITARY BASES TO INVENTORY AND ANALYZE THE IMPACT OF MILITARY BASES ON NOTHERN VIRGINIA'S LOCALITIES

This resolution would authorize the executive director to apply for a \$100,000 grant to develop an inventory of military bases and facilities in Northern Virginia in conjunction with the Base Re-Alignment Commission (BRAC). Commissioner Favola moved approval of the resolution and the motion was seconded.

Commissioner Ludvigsen suggested concentrating on the smaller facilities. Mr. Gibb added that Senator Toddy Puller requested that the Commission apply for this grant.

Resolution No. P04-13 was unanimously adopted.

- B. Resolution No. P04-14: AUTHORIZATION TO SUBMIT A PROPOSAL ENTITLED "WATER QUALITY TOOLS AND TRAINING" TO THE CHESAPEAKE BAY SMALL WATERSHEDS GRANT PROGRAM

Commissioner Favola explained that this small grant (up to \$15,000) would provide public education and training for citizens (including community organizations and local elected officials) on the impacts of stormwater runoff, and how to identify and report erosion and sediment control problems.

Commissioner Favola moved adoption of Resolution No. P04-14. The motion was seconded and unanimously carried.

OTHER BUSINESS Commissioner Umstatted reported that the Loudoun County Board of Supervisors did not reappoint Chairman York to the Commission. The Bylaws call for an election.

Commissioner Bulova, who chaired the Nominations Committee last spring, suggested moving up the current officers and nominating Commissioner Connolly for Treasurer. The motion was seconded. Commissioner Umstatted called for other nominations. Hearing none, Commissioner Umstatted moved that nominations be closed. The motion was seconded and unanimously carried. The officers, as listed below, were elected by acclamation.

Kristen Umstatted	Chairman
Barbara Favola	Vice Chairman
Gerald Connolly	Treasurer

Chairman Umstatted appointed an *ad hoc* Membership Committee consisting of the following Commissioners: Bulova (chairman), Favola, Hudgins, Pepper, Boudreau, Connolly, and Barg. Chairman Umstatted moved adoption of the *ad hoc* Membership Committee and the motion was seconded. Mr. Gibb confirmed that Fauquier County's possible membership will be considered by this committee, as it would require a charter change. The motion was unanimously carried.

Commissioner Gross reported that Commissioner Holley told her he will not be reappointed to the Commission. He is NVRC's representative to the Potomac Watershed Roundtable. That group next meets on April 2, and Commissioner Gross invited members to let her know if they were interested in filling this position

ADJOURNMENT There being no further business, Chairman Umstatted adjourned the meeting at 9:45 p.m.

Respectfully submitted:

Approved by:

G. Mark Gibb
Executive Director

Kristen Umstatted
Chairman