

FAIRFAX WATER
Minutes of Board Meeting
September 5, 2024

At 7:01 p.m. on Thursday, September 5, 2024, a Meeting of the Fairfax Water Board was held in the Bill G. Evans Boardroom at 8570 Executive Park Avenue, Fairfax, Virginia, with the following in attendance:

Members: Allin, Begovich, Cammarata, Colleton, Day, Dotson, Ginyard-Jones, Griffin, Roberson (absent), Rubin

Wholesale Customer Representatives: Danziger

Staff: Bolton, Brown, Coneway, Dewhirst, Dooley, Farley, Goldberg, Grimes, Hedges, Holmes, Kingsbury, Love, B. Miller, S. Miller, B. Nguyen, Oates, Prelewicz, Siminari

Counsel: John McGranahan, Hunton Andrews Kurth LLP

Others: N/A

Upon separate motions duly made, seconded, and unanimously carried, unless otherwise noted, the following actions were taken:

Approval of Minutes

The Board amended the Minutes of July 25, 2024, to note that Mr. McGranahan attended the July 25, 2024, meeting in-person, not remotely as noted in the draft. The Board unanimously approved the amended minutes of the July 25, 2024, Meeting.

Report of the Board Retreat Planning Committee

Ms. Ginyard-Jones reported to the Board on the August 28, 2024, Board Retreat Planning Committee Meeting. The Committee finalized the scope of work for the Board evaluation consultant and requested to receive any feedback regarding the document by Friday, September 13. After that point, a Request for Proposal (RFP) will be issued to collect proposals from potential consultants. The Committee will bring the final contract to the full Board for a vote after thoroughly reviewing all RFP submissions and selecting a candidate.

Report of the Human Resources Committee

Mr. Dotson reported to the Board on the September 5, 2024, Human Resources Committee Meeting held earlier in the evening. The Chairman formally appointed Ms. Ginyard-Jones to the Human Resources Committee and discussed Health Care Premiums for 2025, recruitment and retention concerns at the Corbalis Water Treatment Plant and received a Safety Program Performance presentation from Mr. Brian Miller. The Committee voted to recommend that the Board approves staff's recommended increase to the Fairfax Water Complement, as outlined in the meeting materials for the September 5, 2024, Human Resources Committee Meeting.

Matters by Members

- Chairman Allin acknowledged Mr. Griffin's re-appointment to the Fairfax Water Board.
- Ms. Colleton reported on the meeting she attended with Mr. Allin and Ms. Hedges earlier in the day regarding the Vienna Water System.

- Mr. Dotson inquired about the possibility of expediting the special exception permit for the Griffith Water Treatment Plant trail, currently scheduled for 2035. Mr. Dotson noted that Delegate Bulova was commencing a study to determine the costs associated with building the trail.

Matters by Staff

Ms. Hedges addressed the following:

- Highlighted the document included in the Handouts packet at each Member's seat which outlines Key Performance Indicators (KPIs) for employee counts.
- Informed Board Members that they were provided a copy of the Employee Appreciation BBQ Events flyer in their Handouts packet and noted that all Members are invited to attend the events, if available.
- Noted that the Supplemental Supply Project is continuing along, and that Fairfax Water is working on a scope of work for the project with colleagues at WSSC, DC Water, and Washington Aqueduct, through the Metropolitan Washington Council of Governments (COG) and the US Army Corps of Engineers. Ms. Hedges also noted that Fairfax Water staff has a meeting scheduled for the following day to brief staff at the National Security Council on the need for the project.
- Informed the Board that the Planning Commission hearing decision date for the Poplar Heights Storage Tank project was coming up the following week. Ms. Hedges noted that, if approved, a public hearing will be scheduled before the Board of Supervisors later this fall.
- Highlighted the letter addressed to Chairman Allin and his counterpart at Prince William Water (PWW) from former PWW Board Member, Harry Wiggins, regarding salt levels in the Occoquan Reservoir. A copy of the letter was included as an Information Item for this evening's Meeting.
 - Ms. Hedges also highlighted a letter sent from PWW General Manager, Calvin Farr to the Chairman of the Prince William County Board of Supervisors discussing the state of sodium in the Occoquan Reservoir and the collaborative efforts being made in the region to reduce salt levels. A copy of Mr. Farr's letter was included in the Handouts packet for this evening's Meeting.
 - Lastly, Ms. Hedges noted that she has had several conversations on the topic with Mr. Farr to ensure that efforts are being made in this area despite the recent focus on PFAS reduction.
- Informed the Board that the September 19, 2024, Meeting will include a Finance and Audit Committee Meeting and an Infrastructure Committee Meeting and noted that a CIP presentation will be given at the October Board Meeting.
- Highlighted the comment letter Fairfax Water staff issued to the Virginia Department of Environmental Quality (DEQ) this week on the VPDES Discharge Permit Renewal Application for Dulles Airport. A copy of the letter was provided to each Member at their seat.
- Informed the Board that Fairfax Water also sent a letter to the Virginia Department of Health (VDH) to engage them and DEQ in the legislation adopted by the General Assembly this session requiring DEQ to prioritize identification of significant sources of PFAS in drinking

water supplies that exceed the Maximum Contaminant Level (MCL). A copy of the letter was provided to each Member at their seat.

- Highlighted the letter received from the Executive Director of the Upper Occoquan Service Authority (UOSA), Brian Steglitz, regarding potential re-appropriation of the funding UOSA was previously granted for their ozone biofiltration project.
- Introduced Mr. Dewhirst, Ms. Brown, and Mr. Prelewicz for a briefing on the PFAS rule and Fairfax Water's various compliance efforts to date.

Appropriations

The Board approved an increase in appropriations for five projects totaling \$742,933. A detailed description for each project appropriation is included with the Board packet for this Meeting.

Project 631A – Major Repairs – Transmission Storage Division 35 – Rehabilitation of the Gum Springs No. 1 Tank

The Board appropriated funds in the amount of \$2,160,000 to Project 631A, Division 35, and awarded a construction contract to the lowest responsive and responsible bidder, Nostos SS Contractors LLC, in the amount of \$1,489,700 for rehabilitation of and improvements to the Gum Springs No. 1 storage tank. The Board also authorized the General Manager to execute a task order with Tank Industry Consultants in the amount of \$380,000 for construction phase services.

Purchase of PVC Meter Boxes

The Board awarded a one-year contract to Fortiline, Inc. dba. Fortiline Waterworks in the estimated amount of \$313,250 for the purchase of PVC Meter Boxes. Annual expenditures may be more or less, subject to actual requirements. The Board also authorized staff to renew the contract annually for up to four additional one-year periods so long as prices remain fair, reasonable, and consistent with contractual terms and conditions.

Electrical Testing, Maintenance, and Repairs

The Board awarded a one-year contract for Electrical Testing, Maintenance, and Repairs to the lowest responsive and responsible bidder, Potomac Testing, Inc., in the estimated amount of \$237,790. Annual expenditures may be more or less subject to actual requirements. The Board also authorized staff to renew the contract annually for up to five additional one-year periods so long as prices remain fair and reasonable and consistent with contractual terms and conditions.

Fairfax Water Complement

As recommended by the Human Resources Committee at their Meeting held earlier in the evening, the Board approved an increase in the authorized complement of Fairfax Water from 485 positions to 498 positions.

Shift Differential

The Board adopted the revisions to Chapter 4, Pay Plan; Section 4.10, Shift Differential, of the Human Resource Policy Handbook, as outlined in the materials for this meeting and discussed at the Human Resources Committee Meeting held earlier in the evening.

Closed Session

Mr. Begovich moved, with a second by Mr. Rubin, that the Board go into closed session pursuant to Virginia Code Section 2.2-3711(A)7 for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body specifically relating to PFAS related litigation including the pending multi-district federal litigation, Virginia Code Section 2.2-3711(A)8 for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically relating to Potential Recovery of PFAS-Related Costs.

Upon conclusion of the closed session, the open session resumed, whereby Mr. Begovich moved, seconded by Mr. Rubin, certifying, in accordance with Section 2.2-3712 of the Virginia Freedom of Information Act that, to the best of each Member's knowledge, (i) only public business matters lawfully exempted from open Meeting requirements under Chapter 37 of Title 2.2 of the Virginia Code, and (ii) only such public business matters as were publicly identified in the motion by which the just concluded closed Meeting was convened, were heard, discussed, or considered by Fairfax Water in closed session. This motion was approved, with the following Members voting in the affirmative by roll-call vote: Mr. Cammarata, Mr. Day, Mr. Dotson, Mr. Begovich, Chairman Allin, Mr. Rubin, Mr. Griffin, and Ms. Colleton. Ms. Ginyard-Jones did not participate in the Closed Session and therefore abstained from voting on the motion to certify the Closed Session.

Motion Following Closed Session

Mr. Dotson moved, with a second by Mr. Begovich, that the Board directs the Chairman to work with the General Manager and legal counsel to take all actions necessary to opt out of the pending settlements with Tyco Fire Products L.P. and BASF Corporation in MDL number 2873, and to file appropriate litigation consistent with the Board's discussion in Closed Session. The motion passed unanimously.

Adjournment

There being no further business, the Meeting was adjourned at 10:00 p.m.



Richard Dotson, Secretary