

**Caroline County
Board of Supervisors Agenda
Executive Summary**

Meeting Date: February 11, 2020

Title: Public Hearing – Proposed Amendment of Chapter 93-1 of the Code of Caroline County (Schedule of Water and Sewer Fees)

(Check Mark)

<input type="checkbox"/> Consent	<input type="checkbox"/> Closed Meeting
<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Public Hearing
<input type="checkbox"/> No Action (Information Only)	<input type="checkbox"/> Ordinance
<input type="checkbox"/> Resolution	<input type="checkbox"/> PowerPoint Presentation

Background: As indicated in the attached memorandum from Director of Public Works/Utilities Joseph Schiebel, the Brookwood subdivision currently under construction off Anderson Road near the Community Services Center could eventually consist of 203 new homes. Wastewater from the new homes, which are located in the County, will initially be conveyed to the Town of Bowling Green’s wastewater treatment plant via the County’s collection system.

Staff’s long-term objective for the new subdivision has always been to convey the wastewater to the County’s wastewater treatment plant at Polecat Creek. This will also enable the County to treat wastewater from facilities such as the Community Services Center, Bowling Green Elementary School, etc. which are currently routed to the Town’s wastewater treatment plant. The County’s cost to treat this wastewater will continue to increase in future years based on rate increases from the Town. Thus, it is thought that the County is better off controlling its own destiny ultimately by constructing the needed connection to our plant.

The County Attorney’s Office has indicated that it is permissible to establish separate wastewater availability fees for the Milford Wastewater System as proposed in Mr. Schiebel’s memorandum. These fees are designed to facilitate the objective of connecting to the County’s wastewater treatment plant.

A public hearing has been advertised for the February 11th Board meeting.

Budget Impact: See attached memorandum from Mr. Schiebel

Requested Action(s) of Board: Conduct public hearing

Following the public hearing, Board members may again ask questions, offer amendments and debate the merits of the issue.

A vote to adopt the proposed ordinance may be taken following the public hearing, unless the majority of Board members vote to place it under unfinished business for a third reading and action at a future Board meeting.

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MEMORANDUM

TO: Charles M. Culley, Jr.
County Administrator

FROM: Joseph C. Schiebel
Director of Public Works/Utilities

DATE: February 5, 2020

REGARDING: **Public Hearing - Proposed Changes to Chapter 93-1
Schedule of Sewer and Water Fees**

The Brookwood Subdivision will be constructing 203 new homes wherein the sewer will be conveyed through the County's wastewater collection system and discharged into the Town of Bowling Green's Wastewater Treatment Plant.

From the inception of this project, it was determined that the long-term solution for wastewater treatment was to pump the wastewater to the County's Wastewater Treatment Plant. Staff believes that the availability fee for this separate wastewater system is necessary to meet our long-term objective of wastewater treatment at our facility.

Staff has been working with the County attorney's office to establish an availability fee separate from the County's availability fee for the Milford Wastewater System. The current availability fee for wastewater countywide is \$6,000.00 which was recently reduced from \$8,500.00

The Board of Supervisors at their January 14, 2019, meeting authorized staff to advertise the public hearing for the proposed increase in the availability fees for the Milford Wastewater System.

The table below provides the proposed changes to Chapter 93-1 Schedule of Water and Sewer Fees.

Availability Fees

Milford Sewer System (Residential)

Meter Size	N/A	Sewer	Multiplier
5/8-3/4" meter	\$0.00	\$11,600	1

Staff recommends the Board of Supervisors hold the public hearing and amend the County Code, Chapter 93-1 Schedule of Sewer and Water Fees to include an Availability Fee in the amount of \$11,600 for the Milford Wastewater System.

Attached Draft Ordinance

**AN ORDINANCE TO AMEND SECTION 93-1, SCHEDULE OF SEWER
AND WATER FEES, TO INCREASE WATER AND SEWER USAGE
RATES**

WHEREAS, the Board of Supervisors of Caroline County, Virginia (the “Board”) has reviewed and determined that all rates and fees set forth in Section 93-1, as amended hereby are, as nearly as the Board deems practical and equitable, uniform for the same type, class and amount of use or service and that such rates and fees are fair and reasonable;

WHEREAS, on May 7, 2001 Caroline County issued a Notice of Award for the Construction of two sewage pump stations and 11,850 liner feet of 4” sewer force main to convey sewerage from the Bowling Green Elementary school and Bowling Green Primary School (Old Middle School) for use by the County;

WHEREAS, on April 8, 2002, The Virginia Department of Environmental Quality issued a Certificate to Operate (CTO) the Bowling Green Elementary School and Bowling Green Primary School (Old Middle School) pump stations;

WHEREAS, on April 11, 2000 Caroline County enter into an agreement with the Town of Bowling Green (town). The Town owns and operates a wastewater collection and treatment system with a present processing capacity of 250,000 gallon per day. This agreement as amended reserves and allocates up to a maximum of 45,000 gallons per day.

WHEREAS, on June 28, 2005 the Caroline County Board of Supervisors approved a special exception SPEX-21-2004 – Brooks Lumber Co. Owner; Brookwood LLC, Applicant to construct a traditional neighborhood development consisting of 206 single family dwellings.

WHEREAS, the agreement with the Town of Bowling Green does not provide sufficient capacity for the buildout of the Brookwood Subdivision, and the County will be required to connect the Milford Sewer System to the County’s Central Wastewater System by constructing a sewer force main from the Milford Sewer System to the Poorhouse gravity system.

WHEREAS, the Board has determined that it is prudent, practical and equitable to establish an availability fee for the Milford Sewer System to provide funds for such work in the future; and

WHEREAS, a public hearing duly noticed and advertised as required by Sections 15.2-107 and 15.2-1427 of the *Code of Virginia*, 1950, as amended, has been held on February 11, 2020.

NOW, THEREFORE, BE IT ORDAINED by the Board as follows:

1. Section 93-1, Schedule of Fees and Levies for Public Utilities, of Chapter 93, Schedule of Sewer and Water Fees, is hereby amended effective February 12, 2020, to add the following availability fee schedule for the Milford Sewer System (residential) between the existing Availability Fee Residential schedule and the existing Availability Fee Commercial schedule:

Milford Sewer System (Residential)

Meter Size	N/A	Sewer	Multiplier
5/8-3/4" meter	\$0.00	\$11,600	1

2. In all other respects, the provisions of the County Code shall remain the same.
3. The foregoing shall be effective immediately.