

WASTEWATER ADVISORY COMMITTEE

AGENDA

TOWN OF CHINCOTEAGUE, VIRGINIA

October 6, 2016 - 9:00 A.M. – Town Conference Room - Town Hall

CALL TO ORDER

ROLL CALL

AGENDA ADDITIONS OR ADOPTION

1. Review of the WAC and Planning Commission By-Laws
2. Update on the WAC ad-hoc committee's work in professional services firm selection and contract negotiations. The ad-hoc committee consists of:
 - a. Spiro Papadopoulos
 - b. Ray Rosenberger
 - c. Ben Ellis
 - d. Rob Ritter
 - c. Harvey Spurlock
 - d. Ron Marney
3. Review DUFFIELD ASSOCIATES proposal/contract and Possibly forward to the Planning Commission
4. Committee Members Announcements or Comments

ADJOURN

NEXT MEETING(S): AS NEEDED

By-Laws
Wastewater Advisory Committee
A Chincoteague Planning Commission Committee

ADOPTED
FEBRUARY 1, 2016

ARTICLE 1 – OBJECTIVES

This Committee, established in conformance with the resolution adopted by the Chincoteague Town Council on , 2016, and ARTICLE – 5 – EMPLOYEES, CONSULTANTS, SPECIAL STUDIES of the Chincoteague Planning Commission By-Laws of April 5, 2010, hereby adopts the following Articles in order to facilitate its powers and duties in accordance with the provisions of Title 15.2, Chapter 22, Article 2 of the Code of Virginia, as amended.

The official title of this Committee shall be “Wastewater Advisory Committee”.

This Committee shall promote the orderly development of the Goal as presented in the Chincoteague Comprehensive Plan Approved February 2, 2015, to “Continue study and preliminary engineering for the feasibility of developing public sewer collection and treatment facilities”.

ARTICLE 2 – MEMBERS

2.1. Said Committee shall consist of seven (7) members, one of whom shall be an ex officio member, the Mayor of Chincoteague and another ex officio member, the Chairperson of the Planning Commission, and the remaining five (5) hereafter referred to as appointed members. Such members shall be residents of the locality and at least three (3) shall be owners of real property in the locality.

2.2. Said Committee shall also have three (3) Non-Voting members, the Town Manager, the Director of Public Works and the Town Planner.

2.3. The term of a Committee member shall expire on December 31 at which meeting the successor’s term shall begin.

2.4. Committee members are expected to attend all regularly scheduled meetings.

ARTICLE 3 – OFFICERS AND THEIR SELECTION

Use same as Planning Commission By Laws.

ARTICLE 4 – DUTIES OF OFFICERS

Use same as Planning Commission By Laws.

ARTICLE 5 – QUORUM

5.1 A simple majority of voting members of the Committee shall constitute a quorum. A majority of a quorum shall have the authority to transact Committee business. A quorum shall be established at roll call and shall be maintained during the course of a meeting.

ARTICLE 6 – PUBLIC MEETINGS AND NOTICES

6.1 All meetings of the Committee shall be open to the public.

ARTICLE 7 – ORDER OF BUSINESS

7.1 Call to order

7.2 Roll call

7.3 determination of a quorum

7.4 Review of Agenda

7.5 Old Business

7.6 New Business

7.7 Adjournment.

7.8 Parliamentary procedure in Committee meetings shall be governed by Robert’s Rules of Order, most current edition.

ARTICLE 8 – HEARINGS

8.1 In addition to those required by law, the Committee, may recommend to the Commission, at its discretion, to hold public hearings when it decides that a hearing will be in the public interest.

ARTICLE 9 – AMENDMENTS

9.1 These rules may be changed by a recorded two-thirds (2/3) vote of the entire membership of the Committee subject to review and confirmation by the Planning Commission and then by the Town Council after thirty (30) days of notice.



By-Laws Chincoteague Planning Commission

ARTICLE 1 – OBJECTIVES

- 1-1. This Commission, established in conformance with the resolution adopted by the Chincoteague Town Council _____, 2004, has adopted the following Articles in order to facilitate its powers and duties in accordance with the provisions of Title 15.2, Chapter 22, Article 2 of the Code of Virginia.
- 1-2. The official title of this Commission shall be “The Chincoteague Planning Commission”.

ARTICLE 2 – MEMBERS

- 2-1. Said commission shall consist of seven (7) members, one of whom shall be a member of the Town Council, and the remaining six (6) hereafter referred to as appointed members. Such members shall be residents of the locality and be a minimum of 50% owner of real property.
- 2-2. The term of the council person shall in all cases correspond to their tenure of office.
Of the other members first appointed, one (1) shall be appointed for a term of one (1) year, one (1) shall be appointed for a term of two (2) years, one (1) shall be appointed for a term of three (3) years, and one (1) shall be appointed for a term of four (4) years, from and after the effective date of this resolution. Their successors shall be appointed for terms of four (4) years. Any vacancy in membership shall be filled by an appointment by the Council and such appointment, in the case of an appointed member, shall be for the unexpired term. Any appointed member may be removed by the Council for inefficiency, neglect of duty or malfeasance in office, provided that such removal may be made only after a public hearing at which said member is given an opportunity to appear and be heard on the charges against him.

- 2-3. The term of a Commission member shall expire on December 31 at which meeting his successor's term of office shall begin.

ARTICLE 3 – OFFICERS AND THEIR SELECTION

- 3-1. The officers of the Planning Commission shall consist of a Chairperson, a Vice-Chairperson and a Secretary.
- 3-2. Nomination of officers shall be made from the floor at the regular January meeting each year. Election of officers shall follow immediately.
- 3-3. A candidate receiving a majority vote of the entire membership of the Planning Commission shall be declared elected. Such candidate shall take office immediately and serve for one (1) year or until his/her successor shall take office.
- 3-4. Vacancies in office shall be filled immediately by regular election procedures.

ARTICLE 4 – DUTIES OF OFFICERS

- 4-1 The Chairperson shall be a member of the Commission and shall:
 - 4-1-2 Preside at all meetings.
 - 4-1-3 Rule on all procedural questions (subject to a reversal by a two-thirds (2/3) majority vote by the members present.)
 - 4-1-4. Be informed immediately of any official communication and report same at the next regular meeting.
 - 4-1-5. Carry out other duties as assigned by the Commission.
- 4-2. The Vice-Chairperson shall be a member of the Commission and shall:
 - 4-2-1. Act in the absence or inability of the Chairperson to act.
 - 4-2-2. Have power to function in the same capacity as the Chairperson in cases of the Chairperson's inability to act.
- 4-3. The Secretary shall:
 - 4-3-1. Keep a written record of all business transacted by the Commission.
 - 4-3-2. Notify all members of all meetings.

- 4-3-3. Keep a file of all official records and reports of the Commission.
- 4-3-4. Certify all maps, records, and reports of the Commission.
- 4-3-5. Give notice of all hearings and public meetings.
- 4-3-6. Attend to the correspondence of the Commission.
- 4-3-7. Prepare and be responsible for the publishing of advertisements relating to public hearings.

ARTICLE 5 – SUB-COMMITTEES

- 5-1 At such times that the complexity of duties facing the Commission shall require the advice of standing committees, the following shall be appointed by the Chairperson to serve as needed:
 - 5-1-1. A Comprehensive Plan Committee. It shall coordinate the work of the other committees as it progresses and relate it to the overall program and keep the comprehensive plan developing in a realistic and reasonable manner.
 - 5-1-2. A Land Use Committee. It shall initially determine, and then continue to maintain an inventory of land uses. This committee shall also be responsible for the preparation of land use maps.
 - 5-1-3. A Subdivision Committee. This committee should draft subdivision regulations and any subsequent amendments. They shall examine all applications for major subdivisions, receive the reviews of the staff pertaining to them, and make recommendations to the Commission.
 - 5-1-4. A Zoning Committee. This committee should draft zoning ordinances and/or any subsequent amendments. They shall review all applications for rezoning or special use permits. When authorized by law, they shall hold public hearings, receive the views of the staff pertaining to the issue, and make recommendations to the Commission.
 - 5-1-5. A Street, Traffic and Parking Committee. They shall study the location, relocation, opening, closing or widening of streets, alleys, right-of-ways and limited access thoroughfares as well as control and expediting of traffic and provision for adequate parking. This committee shall initiate pertinent action and make recommendations to the Commission. Public and private hearings may also be conducted.
 - 5-1-6. A Capital Improvements Committee. They shall study the economics of capital improvements as it relates to the use of land to be made by the Town. This may be done independently or in conjunction with affected governmental agencies.

Such study shall include need, priority of need, cost financing, joint use and participation, location, and relative status either within or without the views of the staff relative to the issues and make any recommendation deemed pertinent to the Commission are further duties of the committee.

- 5-2. Special committees may be appointed by the Chairperson for purposes and terms approved by the Commission.
- 5-3. The Chairperson shall be an ex officio member of every committee.

ARTICLE 6 – MEETINGS

- 6-1. Regular meetings of the Commission shall be held on the second Tuesday of each month at 7:00 p.m. excluding the months of July and December. When a meeting falls on a legal holiday, the meeting shall be on the day following unless otherwise designated by the Commission. Such meetings must be held in a public building.
- 6-2. Special meetings shall be called at the request of the Chairperson or at the request of a quorum of the membership.
- 6-3. All regular meetings, hearings, records, and accounts shall be open to the public.
- 6-4. A majority of the membership of the Commission shall constitute a quorum. The number of votes necessary to transact business shall be a majority of the entire membership. Voting may be by roll call, in which case a record shall be kept as a part of the minutes.

ARTICLE 7 – ORDER OF BUSINESS

- 7-1. The order of business for a regular meeting shall be:
 - 7-1-1. Call to order by Chairperson.
 - 7-1-2. Roll call.
 - 7-1-3. Determination of a quorum.
 - 7-1-4. Invocation.
 - 7-1-5. Pledge of Allegiance.
 - 7-1-6. Public Participation
 - 7-1-7. Review of Agenda.

7-1-8. Reading of Minutes.

7-1-9. Old business.

7-1-10. New Business.

7-1-11. Adjournment.

7-2. Parliamentary procedure in Commission meetings shall be governed by Roberts's Rules of Order, Revised.

7-3. The Planning Commission shall keep a set of minutes of all meetings, and these minutes shall become a public record.

The Chairperson shall sign all minutes, and at the end of the year shall certify that the minutes of the preceding year are a true and correct copy.

ARTICLE 8 – HEARINGS

8-1. In addition to those required by law, the Commission, at its discretion, may hold public hearings when it decides that a hearing will be in the public interest.

8-2. Notice of special hearings shall be published once a week for two successive weeks in a newspaper of general circulation in the area not less than five (5), nor more than twenty-one (21) days before the time of public hearing.

8-3. The case before the Commission shall be summarized by the Chairperson or other member delegated by the Chairperson. Interested parties shall have the privilege of the floor. Records or statements shall be recorded or sworn to as evidence for any court of law, only after notice is given to the interested parties.

8-4. A record shall be kept of those speaking before the hearing.

ARTICLE 9 – CORRESPONDENCE

9-1. It shall be the duty of the Secretary to draft and sign all correspondence necessary for the execution of the duties and functions of the Planning Commission.

9-2. All official papers and plans involving the authority of the Commission shall bear the signature of the Chairperson and Vice-Chairperson.

ARTICLE 10 – AMENDMENTS

10-1. These rules may be changed by a recorded two-thirds (2/3) vote of the entire membership of the Commission subject to approval from the Town Council after thirty (30) days notice.



MEMORANDUM
Town of Chincoteague, Inc.

Date: October 3, 2016
To: Wastewater Advisory Committee
From: Robert Ritter, Town Manager
Subject: Duffield Associates Proposal

The attached revised letter of September 7, 2016, from Duffield Associates will be placed in a standard contract form called the E-520 or E-525 from the Engineers joint Contract Document Committee (EJCDC). The E-520 or E-525 general contract services should match with what is in the Sept 7, letter.

The E-520 or E-525 general contract services will be either e-mailed out separate before the meeting once we receive it or at the latest handed out at the meeting of October 6, 2016.

August 19, 2016
Revised September 7, 2016

Via Electronic Mail

Mr. Robert Ritter
Town Manager
Town of Chincoteague, Inc.
6150 Community Drive
Chincoteague, VA 23336

RE: Project No. 11056.BA
Wastewater Infrastructure Planning Services
Town of Chincoteague, Virginia

Dear Mr. Ritter:

The Town of Chincoteague, hereinafter referred to as Chincoteague, has for the past several years been planning for a healthy and economically viable solution to wastewater issues to support the local industry and tourist based economy. Duffield Associates, Inc., hereinafter referred to as Duffield, has been selected to assist Chincoteague in this effort through a qualification process that began on April 18, 2016. This Agreement is in response to a request from Chincoteague to provide the engineering and technical services necessary to define the wastewater treatment disposal alternatives.

To assist with our evaluation we have been provided with the following information:

1. Wastewater Management Plan of June, 2013.
2. Preliminary Engineering report Sanitary Sewer System Phase 1, Chincoteague, Virginia, March 2011 as prepared by Hatch Mott MacDonald and Clark Nexsen.

Based on these documents and the information that will be obtained by Duffield from a search of potentially applicable regulations, hydrodynamic studies, water restoration action strategies, local Virginia Pollutant Discharge Elimination System (VPDES) compliance records, shell fish closure and shoreline survey documents and other relevant information, we will assist Chincoteague in developing a strategy to develop a disposal system alternative in accordance with the following scope of work.

A. SCOPE OF WORK

The critical first step in the successful implementation of this wastewater management plan is confirmation by VADEQ that a VPDES Discharge Permit for a hydrograph controlled release (HCR) to Chincoteague Inlet is feasible.

Duffield will follow 9VAC 25-260-275 of the Virginia Administrative Code in seeking this confirmation. This section of the code defines the permitting sequence that an applicant must follow for the protection of Eastern Shore Tidal Waters for Clams and Oysters. A portion of the Chincoteague Channel and vicinity has been condemned for the taking of shellfish by the Department of Health, Division of Shellfish Sanitation effective May 29, 2015. Therefore, the goal of this task will be to demonstrate to VADEQ that an HCR will not further aggravate the situation and, indeed, may improve it.

Duffield will contact and attend meetings with the Virginia Department of Environmental Quality and the Virginia Institute of Marine Sciences with the goal of verifying that a VPDES permit can be obtained for an HCR to the Chincoteague Inlet. Duffield will provide the following services in this endeavor:

1. Evaluate existing data and models to select the most suitable model.
2. Perform field reconnaissance of inlet flow patterns and velocities to provide for a preliminary calibration of the model.
3. Prepare the model and run preliminary simulations.
4. Prepare a preliminary report with simulation results and findings.

To minimize the costs associated with this preliminary but necessary task, Duffield proposes to use existing data, to the extent that it has value, taken from the following sources and other documents that may be retrieved during work on this task:

- “Intensive Hydrographical and Water Quality Survey of the Chincoteague/Sinepuxent/Assawoman Bay Systems”, Virginia Institute of Marine Science.
- “Hydrography and Hydrodynamics of Virginia Estuaries, A mathematical Model of Chincoteague Bay, Virginia”, Virginia Institute of Marine Science.
- “Maryland Coastal Bays Watershed Modeling Report”, Maryland Department of the Environmental, Virginia Institute of Marine Science.
- “Forecasting the Response of Delmarva Lagoons to Changing Landuse and Climate: Alternative Stable States and Recovery Trajectories”, University of Maryland, College of William and Mary, University of Delaware.
- “Estimating Coastal Lagoon tidal Flooding and Repletion with Multidate ASTER Thermal Imagery”, East Carolina University.
- Chincoteague Bay Stream Corridor Assessment Survey”, Maryland Department of Natural Resources, Watershed Services.
- “Report on Nutrient Synoptic Surveys in the Chincoteague Bay Watershed”, Worcester County, Maryland.
- “Characterization of the Chincoteague Bay Watershed in Worcester County, Maryland”, MDNR, Watershed Services.

The end result of this task is not to obtain the permit, but to demonstrate, in accordance with 9VAC 25-260-275, that obtaining the permit is a technically feasible alternative that produces less of an

environmental impact than that associated with other methods of disposal and does not result in significant adverse social and economic impacts to beneficial use and to the locality and its citizens. The intent here would be to negotiate the terms of the HCR permit application submittal that would be acceptable to the Virginia Department of Environmental Quality and to obtain a letter to that effect[SL1].

Services to evaluate funding sources for the project, and for preliminary engineering, design, bid phase and construction administration and resident project representation are not included in this scope of work, but can be provided should the Town elect to proceed with the project and upon renegotiation of the scope and fee.

B. RESPONSIBILITIES OF CHINCOTEAGUE

It will be the responsibility of Chincoteague to provide:

1. A single primary point of contact.
2. Documents and information as follows:
 - Proposed Sewer System, Town of Chincoteague, Preliminary Engineering Study dated April 1998.
 - Town of Chincoteague Water Supply Plan.
 - Development and Redevelopment Potential Town of Chincoteague.
 - Water distribution system plans, preferably in AutoCAD.
 - Identify suitable sites for the wastewater treatment facility
 - Identify the proposed direct beneficiaries of the project

C. SCHEDULE OF WORK

Duffield will complete scope of work items within 24 weeks of receipt of a purchase order for this agreement.

D. FEES

Duffield proposes to carry of the work in this Agreement in accordance with the following fee schedule:

Engineering and technical services necessary to complete wastewater facilities planning detailed in the Scope of Work will be performed on a time and materials basis for a fee of **\$50,000.**

Duffield will keep Chincoteague apprised of any significant increase or decreases in the required work effort to satisfy Chincoteague's needs. If it becomes apparent to Duffield at any

time before the services to be rendered are approximately 80% complete, that the total amount of compensation to be paid will exceed the estimate stated above, Duffield will give Chincoteague written notice thereof. Promptly thereafter, Chincoteague and Duffield will review the matter of compensation for the services, and either Chincoteague will agree to such compensation exceeding the estimated amount, or Chincoteague and Duffield will agree to a resolution of the remaining services to be rendered under this Agreement so that the total compensation will not exceed the stated amount when such services are completed.

This agreement is solely between the Town of Chincoteague and Duffield Associates, Inc. and all invoices are payable by the Town of Chincoteague to Duffield Associates, Inc. within thirty days of receipt. Other conditions of this proposal are enclosed as General Contract Conditions and are hereby made a part of this proposal. Unless otherwise provided in an addendum to this Agreement, the law of the State of Virginia will govern the validity of this Agreement, its interpretation and performance, and remedies for contract breach or any other claims related to this Agreement. The terms of this proposal are valid for a period of 30 days.

Thank you for the opportunity to be of service. We look forward to working with you on this project. If this proposal meets with your approval, please sign and return a copy to our office. If you have any questions concerning this proposal or require further information, please do not hesitate to contact us.

Sincerely,

Duffield Associates, Inc.



Lee J. Beetschen, P.E., DEE
Senior Consultant

LJB/DDW:cjk
11056BA0816CHINCOTEAGUEWWDISPOALPRO

Enclosures: General Contract Conditions
Hourly Rate Schedule



D. Dwight Walters, P.E.
Division Director Civil Engineering

ACCEPTED BY: _____
(Signature)

FOR: Town of Chincoteague

DATE: _____

Chicoteague Wastewater Infrastructure Planning Services
Manhour Per Task

TASKS	Manhours
1 Review docs	16
2 Meeting VMS (1)	6
3 Evaluate Existing Data & Models to Select the Most Suitable Model	64
4 Perform Field Reconnaissance of Inlet Flow & Velociites	36
5 Pepare the Model & Run Preliminary Simulations	72
6 Prepare Preliminary Report with Simulation Results & Findings	32
7 Prepare Alternatives Report for VADEQ	24
8 Meetings with VADEQ (2)	12
9 VADEQ Correspondence by E-Mail	12
10 Meeting Client (3)	<u>42</u>
TOTAL	316