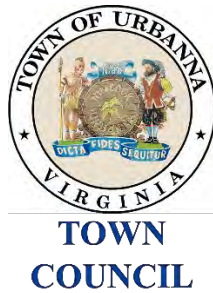




**Urbanna Town Council  
WORK SESSION  
Thursday, September 25, 2025 - 6:00pm  
Town Council Chambers - 390 Virginia St., Suite B, Urbanna, Virginia**

**AGENDA**

1. Call to Order
2. Approval of Electronic Participation by a Council Member (if needed)
3. Roll Call of Members
4. Pledge of Allegiance
5. Review and Adoption of Meeting Agenda
6. **Legislative Update – Delegate Keith Hodges**
7. Public Comment
8. Council Response to Public Comment
9. Work Session Matters
  - a. Waste Water Treatment Options
  - b. Drinking Water Funding Workshop
10. Action Items
  - a. Resolution 2025-018 Appointment to the Planning Commission
11. Council Announcements & Requests
12. Closed Meeting
13. Adjourn or Recess



**Agenda Item Summaries – Opening the Meeting**  
**FOR ALL REGULAR MEETINGS & WORK SESSIONS**

**Agenda Item: 1 – CALL TO ORDER**

Mayor calls the meeting to order at 6:00 p.m. or as close thereto as possible, but not before.

**Agenda Item: 2 – ELECTRONIC PARTICIPATION (if necessary)**

**Mayor:** Councilmember \_\_\_\_\_ has requested to participate electronically in tonight's meeting due to [\*state reason]. May I have a motion to approve?

**Sample Motion:** I move to approve Councilmember \_\_\_\_\_'s electronic participation in tonight's meeting due to [\*state reason]. *Motion, Second, Discussion, Voice Vote*

\*Allowed reasons for electronic participation per § 2.2-3708.3 of the Code of Virginia:

1. The Councilmember has a temporary or permanent disability or medical condition that prevents their physical attendance.
2. The Councilmember must provide care to a family member due to a medical condition or to a person with a disability at the time the public meeting is being held thereby preventing their physical attendance.
3. The Councilmember's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting.
4. The Councilmember is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. (This reason cannot be used more than six times per year.)

If participation is approved, the minutes must state the remote location from which the member participated; however, the remote location need not be open to the public and may be identified in the minutes by a general description.

**Agenda Item: 3 – ROLL CALL (ATTENDANCE)**

Mayor determines a quorum then calls roll (or directs clerk to call roll) for attendance purposes.

**Agenda Item: 4 – PLEDGE OF ALLEGIANCE**

Those able, stand for the Pledge of Allegiance led by the Mayor.

**Agenda Item: 5 – REVIEW AND ADOPTION OF AGENDA**

Mayor calls for changes to or adoption of the agenda.

**Sample Adoption Motion:** I move to adopt the agenda as presented.

**Sample Change Motion(s):** I move to [add, remove, move] the discussion of \_\_\_\_\_ as/to Item \_\_\_\_\_ on this agenda.

*Motion, Second, Discussion, Voice Vote*



**TOWN  
COUNCIL**

**Agenda Item Summary**

**SEPTEMBER 25, 2025  
WORK SESSION**

**Agenda Item: 6 – LEGISLATIVE UPDATE – DELEGATE KEITH HODGES**

**Background:** Del. Keith Hodges will present on General Assembly issues he believes to be of interest to the community.

**Fiscal Impact:** None.

**Staff Recommendation:** None, other to engage in the opportunity to provide feedback.

**Council Action Requested:** None, other to engage in the opportunity to provide feedback.

**Sample Motion:** None required.



## **TOWN COUNCIL**

### **Agenda Item Summary FOR ALL WORK SESSIONS**

#### **Agenda Item: 7 – PUBLIC COMMENT**

Mayor opens Public Comment Period and asks if all who desire to speak have had a chance to sign up.

NO SPEAKERS: Mayor closes Public Comment Period.

SPEAKERS: Mayor explains that each individual has five minutes to address Council on matters not scheduled for Public Hearing. Clerk will keep time.

#### **Agenda Item: 8 – COUNCIL RESPONSE TO PUBLIC COMMENT**

After all speakers have been heard, Mayor asks for any councilmember response.

Councilmembers may provide brief responses to issues such as clarifications of facts, answers to questions, etc. Councilmembers shall limit their response to only those comments presented during the immediately preceding public comment period.



## TOWN COUNCIL

### Agenda Item Summary

SEPTEMBER 25, 2025  
WORK SESSION

### Agenda Item: 9 – WORK SESSION MATTERS

#### 9a Waste Water Treatment Options

**Background:** After presenting an editorial concerning Waste Water Treatment Options, members of council sought additional information and an opportunity to hear from Mr. Pete Mansfield. Staff has arranged for Mr. Mansfield to make a brief presentation and has also provided in the materials that allow historic insight into the issue of Waste Water Treatment Options as well as decisions made. These documents include portions of minutes from 1995-1998, communications, and news reports. Staff has confirmed with the Virginia Department of Health that the entirety of Urbanna Creek is condemned to shell fish harvesting and has been “for some time”.

**Fiscal Impact:** None.

**Staff Recommendation:** This recommendation is based on the fact that the Town of Urbanna removed itself for various reasons (cost, increasing regulation, etc.) from the obligation of wastewater treatment turning that responsibility, along with assets and liabilities, over to Hampton Roads Sanitation District (HRSD). HRSD has been engaged with Mr. Mansfield directly and via the Town Administrator sharing with them what he received from Mr. Mansfield. This issue seems to have been addressed if not settled per email dated June 20, 2025; Swartz to Costin. Still, if some action is desired by council, staff recommends a communication to HRSD asking that they be open to wastewater treatment alternatives that are perhaps less costly and more efficient, but in no scenario should the town return to managing wastewater treatment in any form.

**Council Action Requested:** None, but in the alternative direct a communication to the Hampton Roads Sanitation District asking that they be open to wastewater treatment alternatives that are perhaps less costly and more efficient.

**Sample Adoption Motion:** I move to direct the Town Administrator to communicate to the Hampton Roads Sanitation District asking that they be open to wastewater treatment alternatives that are perhaps less costly and more efficient.

*Motion, Second, Discussion, Voice Vote*

June 19, 2025

To: Town of Urbanna Administrator, Mayor and Town Council

From: Pete Mansfield

This disclosure describes a method of converting the Urbanna Wastewater Treatment Plant to land based drip dispersion. The Urbanna plant, has never met outfall specifications for water discharge into our historic Nimcock (Urbanna) Creek and, I believe this could save millions for Urbanna by virtually eliminating treatment and operating costs. It would also eliminate, what I believe is a ridiculous proposal, of waiting 45 years for a pipeline to Williamsburg and then paying pumping, treatment and disposal costs to HRSD.

The current collection system leading to the Urbanna plant would continue to be used, and the plant would be used only for removal of non dissolvable solids and provide the system's surge capacity. The dispersion field and piping to the field (probably just west of Urbanna) would be sized to handle future needs, which, is in the order of nearly twice the treatment plant's current operating load.

Nutrient reduction could be achieved with air inducement in the pipe line to the dispersion field. However, this would not be required, as drip dispersion systems have no governmental specifications for discharge quality.

With considered planning, the plant conversion could be achieved with no sufficient disruptions in services. Also, it would be possible to bury the drip dispersion lines at a sufficient depth that the drip dispersion land could be used to both dispose of wastewater, and in co-operation with the proper power company might also be used as a platform for solar energy generation and revenue source for Urbanna.

Peter W. Mansfield BSME

June 9, 2025

To: Middlesex County Administrator and Board of Supervisors

From: Pete Mansfield

This disclosure describes a complete method of wastewater drip dispersion that I believe could save millions for rural counties that chose a land based dispersion system. Air infusion in wastewater is well known technology for lowering nutrient content. However, if there was no treatment at all, the sum total of nutrients entering the ground would be no different than the present individual septic systems put in, which has been considered by State and Federal governmental agencies sufficient for land based drip dispersion, regardless of size.

This plan would use the homeowners existing septic tanks, pumps and modified piping. Vacuum pumping by a qualified agency for the homeowner on a regular schedule would still be required to remove solids and insure the proper function of their system, which would include a new solids collection trap, isolation and check valves, all previous to the inlet wyes of the county's multi-point collect piping. The existing homeowner's septic tanks with the new secondary solids traps would be the primary method of solids removal.

The local collect tank(s) would have baffles to assure the wastewater from the above multi-point collection piping(s) would run down the inside walls of the local collection tank. At which point, the liquid would overflow a wall surrounding two pumps. The small pump would run as required to maintain the liquid level in the collection tank(s) as low as possible which might be about a foot or two below the start level of the much larger pump.

The air injection point(s) would enter the pipe line(s) a few feet from the collection tank(s) to the surge tank. The air pressure would always be maintained about ten psi above the wastewater line pressure as measured in the transfer pipe near the collection tank, and previous to the air injection point.

The injected air would send pressurized air and liquid combined inside the contained space of the long transfer pipe (say a mile), which will certainly provide a more efficient oxygenation of nutrients than any six foot deep open tank. Since it is in an enclosed space, it will also assist in some movement of wastewater as the air rises through the connecting piping toward the low pressure surface level of the open or vented surge tank.

The surge tank(s) would be sized to accommodate full load capacity from all connected local collection tanks, and contain the pumps and piping to the drip dispersion field. Normally it would be located in the vicinity of the dispersion field.

Specifically for Middlesex County, I am sure that the above plan or some other land disposal method would be many times less expensive, and could be accomplished much sooner than the 45 years suggested by HRSD. The Urbanna treatment plant has never met governmental outfall specifications for water discharge, but could be immediately converted to act as both the collection and surge capacity for land disposal. Nutrient reduction would be achieved with air inducement in the pipe line to a new land dispersion field with only a small pumping station to the field distribution lines. This would significantly reduce operating costs, as the only costs would be an occasional systems check, possibly by a County employee checking all land dispersion systems. As stated previously, land based drip dispersion systems have no discharge quality specifications.

Additional considerations:

#1 - Consider the additional costs proposed in the "The Current Method" drawing of a similar system, designed for a community such as described in the above disclosure. "The Current Method" would require an additional three or four tanks, piping, etc., and does not include any of the individual collection system(s) including collection tank(s) and piping to the surge tanks, all of which would be required and are not shown on "The Current Method" drawing, but are included in the above disclosure. *In other words, an air compressor, with a regulator, and injection nozzle will eliminate all the equipment piping and tanks shown in this commercial drawing.*

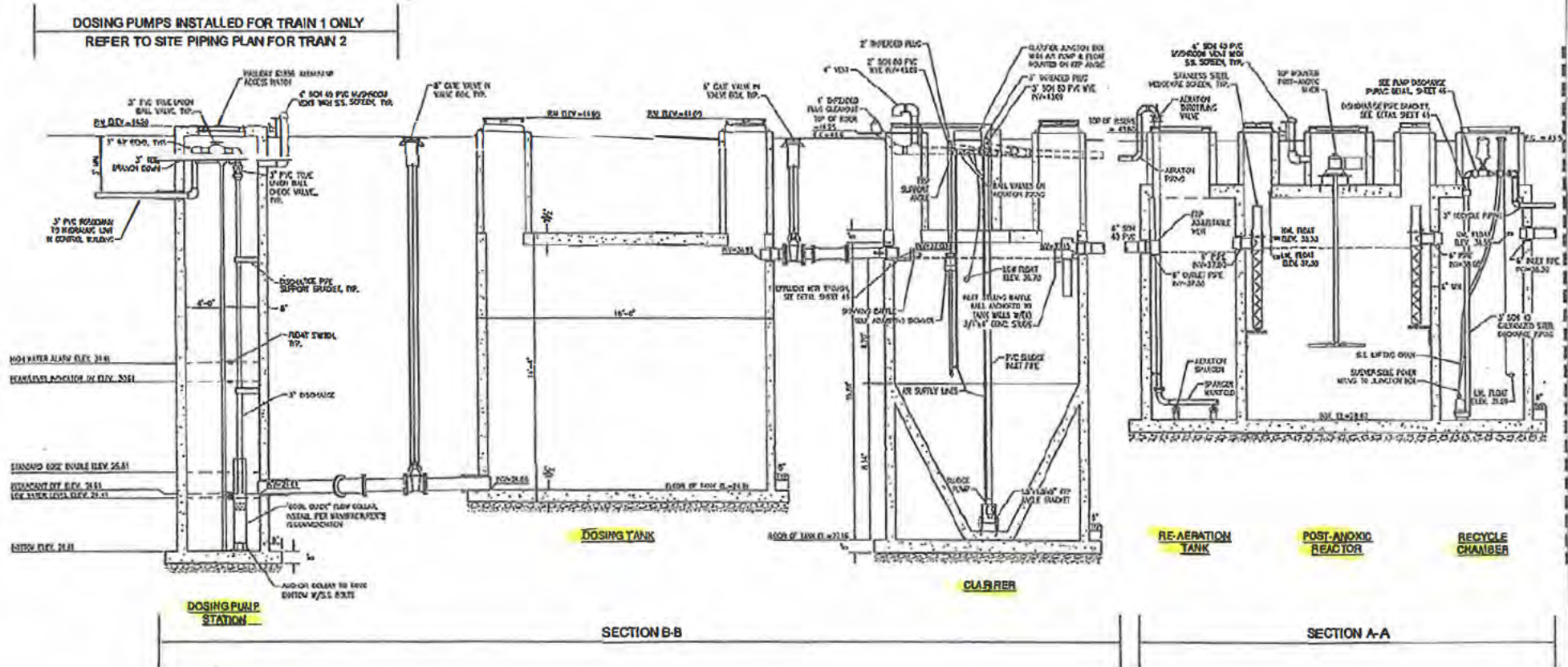
#2 – With the current interest in solar energy generation, it should be possible to bury the drip dispersion lines at a sufficient depth that the land could be used to both dispose of wastewater, and in co-operation with the proper power company might be also be used as a platform for solar energy generation.

Peter W. Mansfield



NOTE:  
POPPETS AND DISCHARGE ARE SHOWN  
FOR A SIZE TEST DATE

# *The Current Method*



September 2, 2025

To: Members of Urbanna Town Council

Honorable Council Members,

I am not officially a resident of the Town of Urbanna since my home is directly across Urbanna Creek from the town. However, I would appreciate your consideration of the following major cost saving for Urbanna and eliminating the pollution of our historic Urbanna Creek.

I believe HRSD (Hampton Roads Sanitation Division) is charging the Town \$18.61 per 1000 gallons for the disposal of wastewater into Urbanna Creek. They are currently using the Urbanna Wastewater Treatment Plant and propose to continue to use this plant for the next 40 years, until they have completed a pipeline to their Williamsburg Plant. I do not consider this proposal to be in the best interest of the Town for the following reasons:

#1- Cost – using HRSD’s numbers, in ground disposal costs are \$0.80/1000 gallons, and as stated above HRSD’s charges are \$18.61/1000 gallons.

#2- The Urbanna Treatment Plant does not, and has never, met the environmental standards required for wastewater discharge into our waters. To keep this plant open for the next 40 years is just short of criminal, as it presents a health risk, and precludes the public’s right of water sports and shell fish harvesting in our tidal waters.

Now let’s look at the above total cost for the above two cost proposals. HRSD proposes to charge about \$20/1000 gallons @ 17,000 gallons per day for the next forty years totaling about **\$5,000,000**, versus in-ground disposal @ \$0.80/1000 for the forty years totaling **\$160,000**. However, there is an approximate \$2,000,000 capital cost for conversion of the Urbanna Treatment plant for use as surge capacity and pumping including construction of the drip dispersion drain field, making the total cost for the forty years with drip dispersion of **\$2,160,000**.

By my best estimate over the next 40 years it will cost Urbanna **2.3** times more for the town’s wastewater disposal using HRSD plan rather than simply using a local in ground disposal site. In other words the \$2,000,000 for a 17,000 gallon per day

drip dispersion wastewater disposal system could be paid off in seventeen years at HRSD's rate, after which the costs would be 1/25 of HRSD proposal.

This is not new technology as proven by the multi-millions of private and commercial septic systems located around our nation. There is no governmental oversight of in ground waste disposal. And, we might also consider multi uses for the dispersion field, such as solar energy generation, which might further increase our savings. We would also stop the pollution of our Urbanna Creek.

Sincerely,

Peter W. Mansfield

June 20, 2025

Ted,

I appreciate you passing this along. I always enjoy it when the community wants to get involved. Please let me know support or response you would like from HRSD. I am happy to reach out to Mr. Mansfield if you think that would be beneficial.

I want to quickly address some of the items mentioned in the letters before passing along to others within HRSD.

HRSD characteristically makes comprehensive evaluations of wastewater collection and treatment for Urbanna, Middlesex, and the Middle Peninsula trying to make both short-term and long-term decisions. We routinely research decentralized wastewater systems, like land-based drip dispersion, for viability within regulations, costs, and advances in technology.

There are a couple of flaws in Mr. Manfield's analysis. In Virginia, land-based drip dispersal systems for Alternative Onsite Sewage Systems (AOSS) are subject to regulations set by the Virginia Department of Health (VDH). These regulations are in place to ensure the proper treatment and dispersal of sewage effluent and protect public health and the environment. AOSSs in the Chesapeake Bay Watershed must show a reduction in Total Nitrogen (TN) compared to conventional systems, which can be met through specific effluent quality or recognized best management practices. Nutrient removal is essential to protect groundwater and downstream surface waters.

Drip dispersal requires significant pretreatment, contrary to the notion that limited or no treatment would be sufficient. The existing collection system and plant infrastructure would require major retrofits to integrate such a system safely and reliably.

There appears to be an argument that individual septic systems that have lesser requirements should be allowed to be combined in the community. The core difference lies in the scale of service, public accountability, enforceability, and environmental impact. Historically, single-home septic systems have been viewed as posing limited environmental risk because flows are small and dispersed across many individual sites. Community and public systems collect large flows, which create higher potential for concentrated environmental harm if not properly managed. As such, they are subject to much tighter nutrient, bacteria, and pollutant discharge limits to protect water quality. While a septic system may be viable for an individual property, there are benefits to including treatment options.

Air inducement in the pipeline sounds simple: inject air into wastewater flowing through a pipe, get some treatment. Pipelines typically move flow too quickly, so there is not enough time for meaningful biological conversion. Fluctuations in flow, temperature, and pH make poor biological stability for denitrification. It is difficult to measure the nutrient removal and no reliable way to show compliance with permit requirements. Therefore, it cannot replace engineered treatment process required.

Through evaluations, studies, and research, we find current and future sewer flows in Urbanna makes decentralized systems less practical under Virginia regulations due to their higher operational costs and monitoring requirements. While a connection to larger treatment plant is a future goal, starting in the fiscal year (July 1, 2025) we are embarking on a new \$10.1 million Urbanna and Central Middlesex Wastewater Treatment Plant Rehabilitation project. This project will improve processes and ensure the plant meets current standards.

Please feel free to reach back out if you have any questions or want to discuss this in more detail.

Thanks,

**Chris Swartz, PE**

HRSD Hydraulic Analysis Manager

September 17, 2025

To: John J. Dano, Chief of Planning and Analysis

cc: Jay Bernas, General Manager - Hampton Roads Sanitation District

Sirs,

Thank you for your very informative August 22 letter. I was not aware that Urbanna's Wastewater Treatment Plant is now in compliance with Virginia's Pollution Discharge Elimination System's permit for wastewater discharges i.e. Total Nitrogen and Phosphorous and Nutrient Trading in the Chesapeake Bay Watershed. This is a noteworthy achievement, which could also be further improved by simply removing the wastewater discharge from our waters completely and directing it to a local drip dispersion field.

The second point of my first letter to you pertained to costs. You stated HRSD is currently handling about 60,000 gallons per day of Urbanna's wastewater which will, of course, expand in forty years when all of Middlesex County can be tied in to a line to your Williamsburg facility. The below costs and usage are based on your advertised handling costs of \$18.61/1000 gallons, and my understanding that drip disposal cost are about \$0.80/1000 gallons.

**HRSD costs:**                 $\$18.61 \times 60 \text{ kgal} \times 365 \text{ days/year} \times \textbf{40 years} = \textbf{\$16,302,360}$

**Drip Dispersion costs:**  $\$0.80 \times 60 \text{ kgal} \times 365 \text{ days/year} \times \textbf{40 years} = \textbf{\$700,800}$

It is my belief that infrastructure costs for the conversion of the Urbanna Plant and construction of 80,000 gallons per day drip dispersion field would cost about four million. Urbanna would pay off this capital cost in about ten years at your proposed rate. After which Urbanna could expect to save about \$400,000 per year, even more if the dispersion field could, also be used for production of solar energy or some other secondary use.

Please advise if you disagree.

Sincerely,

Peter W. Mansfield

# Town may get out of sewer business

Target date is July 1, 1998

by Tom Chillemi

By unanimous vote Monday, the Urbanna Town Council approved an agreement with the Hampton Roads Sanitation District (HRSD) that spells out how HRSD will assume ownership and operation of the town's wastewater treatment plant and collection system.

HRSD and Tidewater localities are trying to form a Small Communities Division that would operate selected rural sewage treatment systems. The plants would be independent of each other and not connected to the HRSD network south of the York River.

The target date for HRSD to take over the town's operation is July 1, 1998, said town administrator Ted

Daniel.

Jim Pyne, the HRSD project manager, said that a July target date was "optimistic."

However, Urbanna is the first locality to take all steps to have HRSD own and operate its wastewater treatment system.

Mathews County approved its agreement with HRSD on Tuesday, said Pyne.

Middlesex has petitioned the circuit court to join HRSD and will have a public hearing on the matter on Jan. 29, 1998 in the courtroom in Saluda.

West Point is still considering the agreement, said Pyne.

King William has joined HRSD and is building a 25,000-gallon-per-day treatment plant at Central Garage at the intersection of Routes 360 and 30.

(See HRSD agreement, page 2)

## HRSD agreement . . . (Continued from page 1)

King and Queen County recently voted to petition the circuit court to join HRSD.

The towns of Franklin and Southampton are considering joining HRSD but are about a year behind the Middle Peninsula localities, said Pyne.

### Agreement

Daniel noted that first among the agreement's key issues is that HRSD will provide sewer service "only in areas designated by the town council."

Any expansion of the sewer service area outside the town limits would be at the discretion of council, Daniel emphasized.

Under the agreement, the town will transfer title of the sewer real estate to HRSD. If HRSD decides that any portion of the facilities are not needed, HRSD must offer to transfer the land and facilities back to the town at no cost.

HRSD would assume full responsibility for all sewer system debt. Currently, the town owes \$431,000 for various sewer-related facilities, including \$90,500 for the original 40-year note on the current sewage treatment plant built in 1970; \$21,000 for the effluent line extension; and \$319,500 for construction of two surge tanks.

Daniel noted all the debts will be paid by the year 2015.

Also under the agreement, the town's full-time plant employee, Robert Bartley, will be offered employment with HRSD.

In the future, the town can opt out of the HRSD agreement if it so desires, said Daniel.

### Savings to the town

Daniel said HRSD can operate the town's sewage system at a savings. HRSD will monitor the small community plants using remote sensors. This will cut costs because one employee will be able to operate more than one plant.

HRSD also can spread the cost out over a larger customer base. The town has just 240 sewer customers. Rates have risen in the past years as the town adjusted sewer rates to meet actual costs. Still, the rates generate just \$118,000 annually while the cost of operation is \$132,000 a year. With this deficit, no money is being set aside for capital improvements, said Daniel.

The town has been in the sewer business since 1902 with modifications done in 1928 and 1970.

HRSD will bill town customers for both water and sewer.

The town will have input on the sewer rates, said Daniel. The rates will be set by the Middle Peninsula Advisory Board, which will have local representation.

In an unrelated matter, council commended Daniel and Gina Daniel for a good audit and voted to give them each one extra personal day of vacation.

Council also approved a special use permit for a radio station to locate in Urbanna (see related story).



Mayor O'Brien recognized Mr. Daniel for new business before the Council. Mr. Daniel said that recently the Middle Peninsula area was awarded a \$23,000 Regional Development Planning Grant that will be administered by the Middle Peninsula Planning District Commission. Mr. Daniel introduced Greg Zody of the PDC who provided Council with some information on the grant program so Council may be able to make inputs to the planning process.

Mr. Daniel said that last fall, several member jurisdictions of the Middle Peninsula who have existing wastewater treatment systems asked the Hampton Roads Sanitation District to identify support they might be able to provide to the Middle Peninsula wastewater programs. He said that following a couple of meetings at the Planning District Commission offices in Saluda, the Hampton Roads Sanitation District initiated a study of the existing capabilities and future needs for wastewater treatment in the Middle Peninsula. Mr. Daniel said that with us tonight is Mr. Jim Pyne, the project manager for the Hampton Roads Sanitation District Middle Peninsula Study Project. Mr. Daniel said that Jim has studied the Water and Wastewater Master Plan for Urbanna and has made numerous trips to visit our plant to assess our current and future capabilities and needs. Mr. Daniel said that he has reviewed a considerable amount of data on our system and is very familiar with our current situation. Mr. Daniel said that Jim was here tonight to meet the Council and give them a status report on the progress of their Middle Peninsula Study Project. Mr. Daniel said that Jim has previously met with the County Board of Supervisors and our own Planning Commission earlier this month. Mr. Daniel said that the District undertook this study at the request of the Middle Peninsula members of the PDC. Mr. Daniel asked Jim to update Council on the progress of his study.

Mr. Pyne addressed Council giving some history of the district. Mr. Pyne noted that the plant can meet the immediate needs of the current customers, but as the Royer study pointed out, expansion to meet the future needs of all current and future water customers on the Urbanna system would have to be met by a new treatment facility. He noted that the Royer plan proposes a new plant on the east side of Urbanna Creek. Mr. Pyne told the Council that the County has employed Royer to study the needs for Deltaville and Saluda. He said it was his understanding that they are currently looking at two separate facilities. He noted that the District's current focus is on possibly one facility to serve Middlesex County. He said their focus now is on possibly a maximum of three or four facilities serving the Middle Peninsula ultimately. Mr. Pyne said treating wastewater in and among Middle Peninsula counties would be necessary, that no wastewater from south of the York River would be treated in these proposed Middle Peninsula facilities. He noted that lower Gloucester County would continue to be served by a new facility as would Middlesex County. In closing, Mr. Pyne told the Council that the study had only been in progress since early in the year and the study period was for one year. He said he would be glad to visit again as planning becomes more definitive.



April 16, 1996 - HRSD held a public hearing at Claire Walker Middle School.

There was a meeting with HRSD on May 27, 1996.

May 20, 1996

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Under Old Business, there was a public comment period concerning the MPPDC-HRSD Feasibility Study.

Council Member Geanious asked Jim Pyne if he had looked into the possibility of a veto. Mr. Pyne said the possibility of a veto was not there. Mr. Geanious



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asked Mr. Pyne that if HRSD wanted to increase the plant about ten times, which would change the demeanor of the Town, would the people in Town have anything to say about it. Mr. Pyne said that there was no way the plant could be increased ten times. Mr. Geanious asked Mr. Pyne if he could guarantee that the size of the plant would not increase under HRSD. Mr. Pyne said that the size of the existing plant site was too small to increase. Mr. Pyne said he could not guarantee anything. Mr. Geanious said that in not guaranteeing that the plant would be increased in size that there was a possibility that the plant size could be increased. Mr. Geanious said that DEQ has determined the Urbanna Creek to be contaminated, and was it true that it was easier to get an existing permit upgraded than to get a new permit. Mr. Pyne said generally that was true. Mr. Geanious it was easier for HRSD to increase the Urbanna plant than put a new plant anywhere else in Middlesex County. Mr. Pyne said there was not a plant site in Urbanna and they could not increase the size of the existing plant. Mr. Pyne said that if they were to issue a new permit to increase the existing plant, the buffer zones were not available and the plant site was just too small. Mr. Pyne said that if they were to expand service for this area the odds are it would be somewhere in Middlesex County. Mr. Pyne said that HRSD was charged with disposing effluent in the most environmentally sound and cost effective manner. Mr. Daniel said the Master Plan stated that the Town would need a new plant in order to bring the current water customers on to sewer. Mr. Daniel said that the Town does not have the capacity to bring on the current water customers now. He said that the Town was permitted at 100,000 gallons per day and as the Town approaches 90 to 95 percent capacity, the job becomes very difficult. Mr. Daniel said that as the Town creeps closer to the 95 percent, the Town, HRSD or the County were going to be faced with the fact that on site septic systems were going to fail and they were going to have to come on to a sewer system and the Town's plant would not be able to handle it. Mr. Geanious said that there was a new way to dig a drain field that was not that complicated. Mr. Pyne said that at some point in time, the rates would increase just the same as the Virginia Power and phone billings. Council Member Hovey asked Mr. Pyne if his office had received calls on this. Council Member Geanious said that there has not been any discussions about this in the community. Mr. Geanious asked who was responsible for rate increases with HRSD. Mr. Pyne said that the rate procedure is that they develop a budget and run it through a rate model and at that point it goes before the Middle Peninsula Advisory Board and that once the Middle Peninsula Advisory Board adopts the rate, it goes before the HRSD full commission for approval. Mr. Daniel said that as our flows go up, the Town would have to bring on additional people. Mayor O'Brien asked Mr. Pyne what was the feedback from the other counties. Mr. Pyne said it was positive so far. Council Member Hovey asked if there was a possibility that the Town did not do this, could they come back and do it at a later time. Mr. Pyne said the district has put a lot of time and effort into doing this study. He said they would probably not do it for nothing next time.

Council Member Geanious said that he was actually for this, but had reservations.

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Next was a public comment period concerning the MPPDC-HRSD Feasibility Study. Mr. Daniel noted that a public hearing on the feasibility study had been held at St. Clare Walker Middle School in April. Mr. Daniel said that he included in the Council packets a letter from King William County stating their

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intent to petition for membership in HRSD. He said he had also included a draft letter of intent for the Town Council's consideration.

Phil Friday asked if HRSD would employ the same people the Town has now. Mr. Daniel said that anyone who the Town has working in the sewer area would be offered jobs with HRSD. Regarding the Town maintaining its water system, Mr. Daniel said that Wanda Bartley is a full-time employee now and works extensively on the water system. Mr. Daniel said contracting for water repairs would be preferable to bringing on someone full time to do this. Mr. Daniel said the Town would continue to do the water meter readings and provide them to HRSD.

Ron Courtney said that this was an issue that centered on economics. He said that everyone was missing something vital - one thing that keeps this county rural was not having a central water and sewer system. He said the Town would be selling out for the convenience of saving money. He asked that Council reconsider their decision tonight.

Mayor O'Brien thanked Mr. Pyne for all his effort that he had put into this.

Mr. Daniel noted that if Mr. Courtney had come to some of the earlier meetings, he would have heard other issues besides economics being discussed. In reviewing why the Town's existing plant had come into existence, Mr. Daniel observed that it was the pollution of Urbanna Creek and the early 1970 Cleanwater legislation that prompted the building of this plant. Mr. Daniel said that the people that constructed this plant had the foresight to put in a 100,000 gallon a day plant, and now, twenty-five years down the road, the plant is averaging 50,000 gallons per day and meeting today's standards. He observed that the Town had recently added surge basins and other modification to clean up the plant and upgrade the electrical systems. Mr. Daniel said that one of the reasons this had to be done after twenty-five years was that the plant had not been taken care of properly. He observed that the Town staff does a good job, but it was hard to maintain the plant. Mr. Daniel noted that the Town's practice has been for the sewer operator to also perform as the water operator. Mr. Daniel observed that the Town was qualified to operate and maintain the plant for another twenty-five years, but the Town cannot do as good a job as HRSD because the Town does not have their resources. Mr. Daniel noted that our sewer system was only getting older and the people who live in Urbanna have to rely on this plant and collection system. He said the issue is how the Town is are going to operate and maintain this plant.

Council Member Geanious said that Mr. Courtney brought up a valid point. He said that the impact and magnitude of this situation is such that he does not want the responsibility ten years down the road to have people look at him and

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say he was the one that did this to Middlesex County. He said that he would like to see a referendum on this, because it is so important. He said that the people in Town should vote on this.

Mr. Courtney said that he sees this as a foothold as a fundamental change that this would bring to Middlesex County, that once it is established in Urbanna, then it would be so easy to bring in the rest of the County.

Mr. Daniel noted that the Town already has its treatment plant and has to find a way to operate the plant effectively and efficiently and joining HRSD was the proper way to do that. Mr. Daniel observed that HRSD would bring in people who were better qualified to run our existing treatment plant and do it for less money than the Town can.

Mr. Courtney said that from the standpoint for Urbanna, yes.

Mr. Daniel noted that HRSD does not determine who hooks up to the sewer system but the locality's governing body does. He said that the governing bodies through their comprehensive plans determine what the land can be used for. Mr. Daniel said that the focus of the Town of Urbanna's Comprehensive Plan was to live with the surrounding neighbors, continue to sell water to them, and continue to run this sewerage treatment plant. He said that twenty-five years down the road, Urbanna was going to have to look at alternative means of treating sewerage. Mr. Daniel said that the Town of Urbanna recently updated its Comprehensive Plan and adopted a Water Quality Land Use Plan to seek regional solutions to wastewater problems.

Mr. Courtney said that he has a saying "Don't trust the government". He said that you can't make land perk. He said that people change, policies change and as long as the soil cannot perk and the land is left alone, Middlesex County would stay rural.

Mayor O'Brien observed that Middlesex County would stay rural is not true. He said that if there was a developer large enough and wealthy enough to build a sewerage treatment plant, it would be done.

Phil Friday asked if there was anything in the agreement with HRSD, that in twenty-five years when this plant falls apart and they replace it, was there anything that said they could only replace it with 100,000 gallons.

Council Member Geanious said the Town had no control whatsoever.

Council Member Perrins noted that the current plant could not be expanded.

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Mr. Friday said when the study was done in 1990, they said in the study that this plant could not be expanded, that a new plant would have to be built across the creek. This was during the time the Town was talking about annexing across the creek. He said the reason that the plant remained at 100,000 gallons, was because they did not want the Town any bigger. He said he could remember four major projects that did not happen because the Town could not provide sewer.

Council Member Perrins said that if HRSD was within the county, all the campgrounds would have treated waste rather than untreated waste that could be going anywhere.

Mr. Friday said that he was concerned about Urbanna. He said that having served on Council for eight years and being on the Water/Sewer Committee there was no doubt that HRSD could do a better job than we could. He said there should be something that would limit HRSD's power to expand our plant and consequently expand Urbanna.

Council Member Geanious said there should also be something that allowed Urbanna to get out of HRSD.

Mr. Daniel observed that the existing treatment plant and its outfall are in the wrong location. He noted that when the capacity of this plant reaches 95,000 gallons per day average for three consecutive months, plans for a new plant have to be completed. He said the plant was approaching 60,000 gallons per day now. Mr. Daniel said that it was the Town's written policy that there would be no outside connections without an engineering study. Mr. Daniel observed that HRSD would not want any outside connections for the same reasons as the Town. He noted that the Town doesn't want any new customers because the plant was aging and approaching capacity. Mr. Daniel said that tough decisions would be facing the Urbanna Town Council regardless of who was running the plant - the Town or HRSD. Mr. Daniel noted that the Town had learned some valuable lessons last year when the modifications were done on the plant and one side of the plant was shut down for modifications and painting. He said that in processing 50,000 gallons per day in one side of the plant we learned that we could not meet our existing permit requirements. Mr. Daniel said that the Town was not going to allow itself to get in a position to have to expand this plant. He said that any reserve capacity would be used to serve people we are now supplying water to. Mr. Daniel stated that our water system was now built to capacity. He observed that the water tower holds 250,000 gallons which permits a total of 1,000 equivalent connections. He said the system was around 900 equivalent connections now. He noted that there could be no additional water growth until another water tower is constructed.

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Mr. Friday said he was talking about safeguards, that in twenty-five years when this plant falls apart, and HRSD says they want to build a 500,000 gallon plant across the creek but doesn't want to deal with Middlesex County and asks Urbanna to annex them, then economics would come in to play. He said that if Urbanna says O.K., then Urbanna would be three times the size it was now. He said he was for HRSD, but there should be safeguards.

Council Member Geanious said that he agreed, that he thought it would be foolish not to.

Council Member Clay asked Mr. Friday what safeguards would he suggest.

Mr. Friday, said that specifically he did not know, because he had not read the whole study.

Council Member Geanious said that we were a small Town and could not afford thirty lawyers for a period of five years, that it would bankrupt the Town.

Regarding a question on a locality's ability to leave the District after having once joined, Mr. Pyne noted that if the Town were to opt out of the District twenty-five years from now, and there were some sewer flows coming from outside of the corporate limits into the Town plant, then the Town would be obligated to contract with HRSD to continue treating that outside sewerage .

Council Member Geanious said that we were looking at the possibility that Urbanna would be treating everybody else's sewerage. Mr. Daniel observed that the Town cannot do that. Council Member Geanious said that we could get 30,000 gallons more out of this plant. Mr. Daniel said that with the permit and environmental requirements we have to meet, specifically the 30mg/l BOD/30 mg/l TSS limits, with our existing treatment plant, the Town cannot do that. Council Member Geanious said he was talking about HRSD coming in there and doing a one million dollar upgrade. Mr. Daniel said there was not going to be a one million dollar upgrade to our treatment plant. Mr. Daniel said he was only talking about our existing 100,000 gallon per day permitted plant. Council Member Geanious said they were talking about everything that was involved in this situation, not just one plant. He said they were talking about how Middlesex and Urbanna tie into this and how the rest of the plants tie into this.

Mr. Daniel said there would not be any plant that ties into our existing treatment plant. Council Member Geanious said he was talking about how plants play into this, Middlesex and Urbanna. He noted that Mr. Pyne had stated that it was entirely realistic that the Town would have outside people coming in on this plant.



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Mr. Pyne said he did not say specifically this plant, he said that if a locality opts out of the District, then that locality was obligated to treat whatever outside waste was coming to that locality before they opted out.

Council Member Clay said that right now, the Town of Urbanna decides who was on its system and right now everyone who was on the system was within the Town limits. She asked if this policy could be maintained.

Mr. Pyne said that the decision of who uses this plant would belong to HRSD. Council Member Clay asked that if the only plant that was in the system were the Town's plant, under what circumstances would he envision people outside the Town of Urbanna going onto our system, that is, if Middlesex County had not joined HRSD. Mr. Pyne said if Middlesex County did not join HRSD, then there was nothing Middlesex County could do. Council Member Clay said then there would be no one to come in on the system from outside the Town limits which would preserve the Town's option to opt out. She said that it was her feeling that the Town of Urbanna needed HRSD, and the forum for the bigger issue of Urbanna as part of a bigger place was more for the Board of Supervisors of Middlesex County. She said that if the Board of Supervisors was not a part of this, then Council was simply making their own decision with regard to the Town of Urbanna property. Mr. Pyne said that at the last Board of Supervisors meeting, they directed the County Administrator to proceed with writing a letter of intent for the County to petition the District for membership, but he has not heard anything since. Mr. Friday said that from an adversarial point of view, it would be a standoff because the Town Council controlled zoning and HRSD controlled who connects to the system.

Mr. Pyne said, no, the Town controls who connects to its collection system. He said if Middlesex County built a collection system right outside of Town and wanted HRSD to treat its wastewater, HRSD would have to make a decision to treat it in the Urbanna plant, or build another treatment facility somewhere else to treat the Middlesex wastewater, or build a bigger facility somewhere else to treat both the Urbanna and Middlesex wastewater. He said that in the feasibility study, HRSD was opting to build a plant somewhere else and take the Urbanna plant off line because it does not have any room for expansion.

Council Member Geanious said that if anything has come out of these discussions, he believed there were a lot of questions that have not been answered and he does not believe that the Town should move forward at this time. Mayor O'Brien said that he saw a lot of ignorance tonight simply because people did not read the report. He suggested that everyone get a copy of the report and read it. He said that everyone has had ample time to read the report and now it was time to press on.

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Mr. Courtney asked if the report said that HRSD would not change Middlesex County. Council Member Filling said that Middlesex County could change without Urbanna even joining the District. He noted that if the Town and Middlesex County do not solve their wastewater problems, then Middlesex County would eventually die because of the environmental problems that a central facility would solve.

Council Member Hovey told Mr. Pyne that she admired his patience and tenacity.

Mayor O'Brien said that the sewage treatment plant costs a certain amount of money a year to run, the closer we get to the 95,000 gallon per day, the cost to the Town was going to increase dramatically. He observed that during the upgrading of the plant when half of the plant had to be shut down, the amount of time and effort it took the operators to process wastewater at the maximum flows went up dramatically and the limits imposed on the Town by its permit were not able to be met. He said that problem was going to increase as we get towards 95,000 gallons per day whether HRSD or the Town runs the plant. He said that in either case, the Town's sewer rates were going to go up. Mr. Friday said that there was not any question that HRSD could run it better, but there were no safeguards down the road. Council Member Clay asked Mr. Friday what safeguards was he specifically looking for. [Clerk's Note: Mr. Friday comment as not audible on the tape]

Mr. Pyne observed that HRSD is governed by a Board of Commissioners. He said the Middle Peninsula Division would be a separate division formed under the HRSD General Manager. He noted that currently the General Manager has five division directors working for him. He said the Middle Peninsula Division would be a separate division with a division director, and the Middle Peninsula Division would be in charge of all Middle Peninsula functions. He noted that they would keep the Middle Peninsula Division's finances separate from the other finances of the District because it was clear that the people on the Middle Peninsula that they do not want to accept any liability for debt or expansions in the Hampton Roads area and that the HRSD Commissioners did not want to be liable for any expansion or growth taking place on the Middle Peninsula. He noted that another reason was that small rural communities have available to them certain funding sources that the District as a whole (which handles large cities) does not have access to. So, the Middle Peninsula Division, as an organization of small communities, would maintain the eligibility for those economical funding sources for its capital projects. To maintain that eligibility, and meet the criteria that many of the rural area funding sources have, there must be a high level of self determination by the localities. He said to do this, the Middle Peninsula Advisory Board would be



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formed and would have the responsibility of adopting the Middle Peninsula rates, adopting the Middle Peninsula operating budget, and setting the capital project priorities for the Division. The noted the HRSD Commission does not want to get involved in setting those Middle Peninsula priorities. Mr. Pyne observed that the HRSD Commission would have the final responsibility of approving the Middle Peninsula rates and budgets because if something happens they are legally responsible. He noted that the Commission would want to be sure that Middle Peninsula rates and budgets would cover expenses because the Middle Peninsula Division could not be allowed to operate at a deficit. Mr. Pyne reminded the Council that there would be one Commissioner from the existing HRSD Commission designated to represent the Middle Peninsula area on the Commission. He noted that within the Town of Urbanna, the Council would maintain control over who connects to the system. He said that the District would not serve any area the Town did not want served. He observed that if a locality asked the District to build wastewater facilities that do not have sufficient customers ready on line to support the debt service, then that locality would be asked to enter in an interest participation agreement whereby that locality would pay the interest on the resulting capital debt that the District would incur.

Mr. Friday argued that if HRSD was managing the plant, and the plant was averaging 80,000 gallons per day, and HRSD decided to provide sewer service to Garnett Hill, which would max out the plant, and he wanted to connect to the system, but HRSD said the plant was maxed out, he as a citizen of Urbanna would be locked out of being able to build a home.

Mr. Daniel argued that if HRSD doesn't take over the Urbanna plant, the same situation will occur. He said there is going to be continued growth in the Town even though the Town has the policy of preserving growth on the plant because of potential infiltration and inflow problems. He said that HRSD inherits the same problems and dilemmas. He said that HRSD will also have to watch growth onto the Urbanna with a look to the future. Mr. Daniel said that with the Town's representative to the Middle Peninsula Advisory Board sitting there, the Town would have a say. Mr. Daniel argued that assumptions can not be made that HRSD would make ignorant decisions concerning the Urbanna plant. Mr. Daniel said again that the Urbanna Town Council has the same issues facing it even if the Town doesn't join HRSD. Mr. Daniel argued that substantial political pressure will be brought on either the Town by itself or with HRSD when Garnett Hill requires sewer service and there is not a larger plant available to handle the increased wastewater requirements. Mr. Daniel argued that solving these wastewater problems were an environmental concern, a community concern, and a social concern. He said the Town of Urbanna has a moral obligation to provide for the public's health, safety and welfare including those it has sold water to for the past 15 years.

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Mr. Friday said that down the road, the Town would totally lose control.

Council Member Filling said that in the long term, the Town is not capable of maintaining the plant nor maintaining the collection system.

Mr. Friday asked Mr. Pyne if the rules with HRSD were such that if someone from Garnett Hill wanted to come on to the system, Urbanna would have no say in it. Mr. Pyne answered that if Middlesex County were in the District and asked that Garnett Hill be served, and if there was sufficient capacity to meet their request, HRSD could serve them with the Urbanna Plant. Mr. Daniel argued that HRSD would not use up capacity on the Urbanna plant for Middlesex County without considering the needs of Urbanna. Council Member Geanious asked how Mr. Daniel knew that. Mr. Daniel said that as a professional organization, HRSD would not do that. Mr. Daniel argued that you cannot ask someone to give out such guarantees. He said Mr. Pyne had stated to them that it has been the policy of the District since the District was formed to maintain adequate wastewater treatment capacity for all of its customers. Mr. Friday asked if that policy was in writing. Mr. Pyne said he did not believe it was. Mr. Friday asked if the Town could get it in writing before they joined. Mr. Pyne said he did not know. Mr. Daniel asked Mr. Friday what guarantee did he want. Mr. Friday said a written guarantee that the Town of Urbanna would always have capacity after everyone was hooked up in Garnett Hill.

Council Member Hovey asked if anyone here tonight other than herself ever lived in an area serviced by HRSD. She said that she had for twenty-five years, and she felt that was trust right there.

Mr. Friday asked why couldn't HRSD put it in writing that their policy was to guarantee capacity. He said that a reason he served on Council was because he hated and did not trust government, and felt the best way to keep an eye on it was to serve on the Council. He said that to just presume that HRSD was going to do everything for the good of the people and that government was good, everyone should know better because government did silly things.

Mr. Daniel suggested that Mr. Friday read the report. Mr. Friday said that he was for HRSD, but just wanted guarantees.

Council Member Geanious moved that a referendum be held to let the public vote on the decision that is going to impact their lives drastically.

Council Member Hovey asked how many times this has been advertised and how many people have come.

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The motion died for the lack of a second.

Council Member Hovey moved to approve the following letter of intent to join the District to HRSD. Council Member Perrins seconded the motion. The motion passed with Council Members Hovey, Filling, Perrins, and Clay voting aye. Council Member Geanious voted nay. Council Member Mason was absent and not voting.

June 17, 1996

James Borberg  
General Manager  
Hampton Roads Sanitation District  
P.O. Box 5911  
Virginia Beach, Virginia 23455-0911

Dear Mr. Borberg:

The Town Council of the Town of Urbanna, Virginia appreciates the comprehensive and professional approach Hampton Roads Sanitation District has taken in accomplishing the Feasibility Study of Forming the Middle Peninsula Division. The Town of Urbanna has maintained a keen interest in this regional wastewater management initiative for the Middle Peninsula because of our existing wastewater facility and the future development pressures our facility will experience. A key utility goal outlined in the Town of Urbanna's Comprehensive Plan is for the Town to promote regional solutions to its wastewater treatment requirements. The Town of Urbanna believes that the opportunities offered by the HRSD/MPPDC Middle Peninsula wastewater initiative meets this critical planning objective.

Should the Hampton Roads Sanitation District conclude that there are a sufficient number of Middle Peninsula localities committed to joining the District and forming the Middle Peninsula Division, then it is the Town of Urbanna's intention to proceed with the process of petitioning our Circuit Court to include the Town of Urbanna within the boundaries of the Hampton Roads Sanitation District.

On behalf of the Urbanna Town Council, I wish to thank you, Mr. Jim Pyne and all of the HRSD team for completing this feasibility study and for giving us the opportunity to make a sound planning decision for our current and future wastewater customers.

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Mr. Daniel then gave Council an update on the HRSD-MPPDC Initiative as follows:

1. September 16th, HRSD notified the town and the other affected localities that in light of the September 4th Town of West Point decision not to participate in the formation of a Middle Peninsula Division, HRSD had decided to cease

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further study concerning the Division until a sufficient number of localities with existing customers committed to joining the District. Having to withdraw the request for Virginia Revolving Loan Fund money to set up the Division was part of this decision. HRSD indicated their willingness to continue working on the initiative in the future.

2. In October, Mr. Daniel attended a meeting of the HRSD Commission in Norfolk with Dan Kavanagh of MPPDC and the King William County Administrator. The purpose of the visit was to thank the Commission for their study efforts and the assistance they had given us for the past year-and-a-half. Mr. Kavanagh informed them that the Middle Peninsula jurisdictions wished to pursue the initiative actively to see if at least the minimum required number of localities could be put together to have a feasible Middle Peninsula Division. The MPPDC staff and representatives of the localities that had committed to joining the District (as well as West Point representatives) have met monthly since September to consider alternatives that would fully address the Town of West Point's issues: overall cost projections and the questions of including or excluding HRSD management of its collection system.

3. On June 17th, the Mayor submitted a letter of intent for the town to join the District should HRSD conclude that there are a sufficient number of localities committed to join the District.

4. At the January 15th MPPDC-HRSD working group meeting, the King William County Administrator stated that his Board of Supervisors will consider a resolution to petition their Circuit Court for membership in HRSD at their January meeting. The purpose of joining the District is to favorably position the County as an active member of the District in order to take advantage of possible HRSD management as their projected wastewater facilities develop. A

consensus of the local administrators and the MPPDC staff is that the Middle Peninsula localities with existing and projected wastewater plants can strengthen their position of commitment and resolve to participate in a regional solution by petitioning to join the District now. Each locality will make this individual decision to petition at this time in the ongoing study process.

5. Mr. Daniel recommended that the Town Council consider a resolution to petition the Circuit Court for membership in HRSD at the earliest possible date. His recommendation was based on the following:

a. By petitioning to join at this time, the Town Council takes another important step in demonstrating its resolve to participate in a regional solution to wastewater in order to get the lowest possible sewer rates for its citizens over the long run and also position itself for an economical replacement for the existing sewer treatment plant.

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b. Joining the District at this time would have no effect on our current system and its management. The NPDES permit remains in the name of the Town and the town remains fully responsible and accountable for the system's management and operation. In short, the town still owns the plant and is totally responsible for its operation. Nothing changes.

c. The Town of West Point has remained an active participant in the MPPDC-HRSD working group discussions, and see the tremendous advantages to a MPPDC Division. They continue to study cost data and other issues with HRSD.

d. If West Point can work out a doable plan of action that would permit them to participate in a Middle Peninsula Division, the existing plants at Mathews, West Point, Urbanna, Saluda, and King William could form a viable Middle Peninsula Division. Preliminary cost data indicates that even without Tappahannock participating in the Division, it may be possible for the Town to join the District without any total cost increase to our water-sewer customers, i.e., we could participate in the Division for what it costs us now. The prospects of significantly reducing current operational costs was a bonus, but receiving the benefits that a HRSD Middle Peninsula Division would give us at little or no cost increase is still the driving factor in a regional solution. Over the long-run, our sewer rates will be lower with a Middle Peninsula Division.

e. The initial plan was for each locality to study the proposal and issue a letter of commitment which is what the town and several other localities did. It can only strengthen the town's position to take the next step and petition for membership in HRSD. It can only accelerate the actions required of us once a determination is made that there are a sufficient number of localities to form a division.

Council Member Mason moved that Council adopt a resolution to petition the Circuit Court for membership in HRSD and authorize the Town Administrator to execute the paperwork. Council Member Perrins seconded the motion. Council Member Geanious stated that the cost of the petition should be obtained before voting on this issue. Council Member Mason withdrew his motion pending more information on the cost of the petition. Mayor O'Brien asked the Town Administrator to contact Mr. Culley about Middlesex County's participation.

Council Member Mason asked Mr. Daniel if there were any problems with the plant during the extremely cold weather over the last few days. Mr. Daniel said that there were problems with the lift stations and pipes freezing at the plant. In spite of Robert Bartley being on vacation and the rest of the staff putting in long

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hours over the weekend, the plant was always operational and the lift stations were being repaired by Environmation, Inc. of Ashland, Virginia.

February 24, 1997

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Under Old Business, Mr. Daniel recommended that Council adopt a resolution regarding membership in the Hampton Roads Sanitation District. He informed Council that to petition the circuit court for membership would cost \$300. Council Member Geanious stated that he did not see the necessity of petitioning the circuit court at this time, that it would be a waste of money.

Council Member Clay moved that the Town Council adopt the following resolution to which Council Member Mason seconded:

**A Resolution of the Urbanna Town Council  
Regarding Membership in the Hampton Roads Sanitation District**

WHEREAS, the Town Council of the Town of Urbanna provides a public wastewater treatment system to protect the health and welfare of the residents of the Town of Urbanna; and

WHEREAS, the Urbanna Town Council seeks to provide affordable wastewater services for the Town's residents and still meet the ever increasing demand for application of improved technology, methods and procedures in the operation of wastewater treatment plants in order to comply with increased environmental restrictions; and

WHEREAS, the provision of improved plant operations, management, and cost-effective methods and techniques is essential to meeting these environmental and financial goals;

NOW, THEREFORE, BE IT RESOLVED, that the Urbanna Town Council hereby proposes that the territory of the Town of Urbanna, Virginia be added to the Hampton Roads Sanitation District pursuant to state law relating to the Hampton Roads Sanitation District and feasibility studies regarding a Middle Peninsula Division of the District; and

BE IT FURTHER RESOLVED, that the Urbanna Town Council authorizes the Town Attorney and Town Administrator to prepare the necessary documents, including the petition to be submitted to the Circuit Court for expansion of the Hampton Roads Sanitation District to include the Town of Urbanna, Virginia.

Upon a motion by Council Member Clay, seconded by Council Member Mason, this resolution was duly and legally passed by the Urbanna Town Council on February 24, 1997 with Council Members Hovey, Filling, Mason, and Clay voting Aye and Council Member Geanious voting Nay. Council Member Perrins was absent and not voting.



**October 20, 1997**

**Mr. Daniel said that meetings are continuing with HRSD and agreements were being drafted for when they take over the Town system.**

**November 17, 1997**

**The next item of business was a draft agreement for the Transfer of the Wastewater Treatment Plant and Collection System to the HRSD Small Communities Division. Mr. Daniel said he did not have the actual agreement tonight but went over items that the agreement would contain. Council Member Mason requested that Council meet with Mr. Pyne.**

**December 15, 1997**

**Next before Council was consideration of an Agreement for the Transfer of the Wastewater Treatment Plant and Collection System to the HRSD Small Communities Division.**

**Mr. Daniel reviewed the following agreement with the Town Council:**

December 15, 1997

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**THIS AGREEMENT, Made on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_ by and between the Town of Urbanna, a municipal corporation of the Commonwealth of Virginia, hereinafter referred to as the "Town", and the Hampton Roads Sanitation District, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as "HRSD".**

**WITNESSETH:**

**That for and in consideration of Ten and 00/100 Dollars, and other good and valuable consideration, the receipt of which is hereby acknowledged, agreements, conditions and undertakings, the parties agree as follows:**

**1. The Town agrees to convey by general warranty deed, with English covenants of title, which shall be delivered as herein provided, and HRSD agrees to accept certain property, and the buildings and facilities located thereon, known as the Town of Urbanna Sewage Treatment Plant, and all wastewater pump stations, with all machinery, pumps, tools and equipment located therein or appurtenant thereto, and sanitary sewers, sewage force mains and plant outfalls presently owned or hereafter acquired by the Town as of the Closing Date, together with all easements and all rights including rights for installation, operation, maintenance, repair, relocation, renewal of, and access to, such of gravity sewers and force mains that lie within or without public streets, public places of rights of way. All of the foregoing properties are referred to herein as the "Facilities". Within six months after the execution of this Agreement, the Town shall provide HRSD with true copies of mylar or velum tracings and drawings, specifications and shop drawings for the Facilities and copies of any related highway permits.**

**2. Title to the Facilities shall be marketable and free and clear of any lien or encumbrance which, in the judgment of HRSD, has a materially adverse affect upon the right of HRSD to use such lands or property in the performance of the functions of HRSD or would preclude HRSD from obtaining owners title insurance on the Facilities at reasonable rates. At the time of conveyance of the Facilities to HRSD, the same shall be in good working order, and free of defects, as is the condition as of the date of conveyance. The Town agrees to maintain the Facilities in good operating order, and perform all regularly scheduled maintenance, during the period between the time of the execution of this agreement and \_\_\_\_\_ (the Closing Date). As to any of the Facilities to which title is not as required by this Agreement, or as to which the Town does not have an easement or permit, in the case of gravity sewers or force mains, the Town will acquire such property, permit and/or easement, or clear the title to the same as may be required, at the cost and expense of the Town prior to the Closing Date.**

**3. The Town shall make all scheduled debt service payments on publicly and privately held bonds and notes, consisting of payments on (1) Farmers Home Association - Town of Urbanna Sewer Bond (Series 1970) in the principal amount of \$175,000 payable through the year 2010, (2) Southside Bank of Tappahannock, Virginia - Promissory Note (4 November 1991) in the principal amount of \$29,000 payable**

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through 4 November 2006 and (3) Virginia Water Facilities Revolving Fund - Town of Urbanna, Virginia \$350,000 General Obligation Sewer Bond (Series 1994) in the principal amount of \$350,000 payable through the Year 2014, until the Closing Date. Thereafter the repayment of said obligations, or portion thereof, that are directly attributable to the purchase operation or maintenance of the Facilities, becomes the responsibility of HRSD contingent upon the ability to transfer said obligations to HRSD as noted in Paragraph 8.

4. Full time employees of the Town in positions specifically for the purpose of the operation and maintenance of the Facilities at the Closing Date will be offered full time employment by HRSD in categories and rates of pay equivalent to similar HRSD employment categories as appropriate. The determination of employment categories shall be made solely by HRSD. Such employees at the Closing Date shall be fully funded members for all prior service credits under the Virginia Retirement System, or shall be considered to be new employees of HRSD for retirement purposes they are not currently vested members of the Virginia Retirement System. Wages for employees accepting employment by HRSD shall be determined by HRSD and health, welfare and any other fringe benefits shall be the same as those enjoyed by new employees of HRSD. The provisions of this Agreement shall be solely for the benefit of the parties hereto and no third party shall have or acquire any rights hereunder. Nothing in this agreement shall create rights of employment for any third party who is not a party to this agreement.

5. At such time as HRSD shall determine that any portion of the Facilities is no longer useful in the performance by HRSD of its function, HRSD shall offer to convey to the Town, at no cost to the Town said portion of the facilities in the same condition of title as received by HRSD from the Town provided, however, that HRSD may retain such machinery, equipment and supplies situated on said facilities as HRSD shall desire. Prior to the reconveyance of said portion of the facilities HRSD will hose clean all tanks and other appurtenances to be so conveyed to the Town but shall not be required to dismantle or dispose of any on-site installations. HRSD will assume responsibility for any reimbursement due on grants or loans due, or which shall become due, by reason that the said facilities, or part of said facilities, shall not have been operated for the full estimated life thereof, but this provision shall not affect the rights of HRSD under Paragraph 8.

6. The Town shall retain responsibility for the completion of any and all contracts for the construction, alteration and repair of the Facilities in effect as of the date of the execution of the Agreement.

7. The Town shall continue to operate and maintain the Facilities until the Closing Date and thereafter the same shall be the responsibility of HRSD. The Town shall continue to bill its customers until the Closing Date and thereafter shall be billed by HRSD in accordance with the "Memorandum of Understanding" as shown on Exhibit I. On and after the Closing Date the Town agrees to continue furnishing water meter readings and/or other data to HRSD for the purpose of billing and to collect the

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**Sewage Disposal Connection and Facilities Charges and remitting said fees to HRSD on a monthly basis.**

**8. This Agreement, and the obligations of the parties hereunder, are all contingent upon the execution, and delivery to the parties hereto, of agreements satisfactory to the parties hereto with the appropriate private, State and Federal agencies dealing with the transfer of responsibility for repayment of capital debt on the Facilities to HRSD in the form of pledges of revenue from the operation of the Facilities. This Agreement, and the obligations of the parties hereunder are also contingent upon successful negotiations with the Virginia Department of Environmental Quality to amend and transfer the responsibility for compliance with the VPDES permits for the Facilities to HRSD.**

**9. Upon execution of the agreement HRSD shall begin the planning design and construction of necessary modifications for HRSD to commence operation and maintenance of the Facilities on the Closing Date and thereafter.**

**10. Upon execution of the agreement the Town shall allow HRSD, its agents, employees, engineers and surveyors access to the Facilities, and to such engineering and financial data the Town may have, for the purpose of modifying the Facilities in preparation for assuming operation, maintenance and financial responsibilities on the Closing Date, and for obtaining such information as may be reasonably required by HRSD.**

**11. In the event that it becomes necessary to relocate any of the Facilities to accommodate a public project, the cost of such a relocation shall be borne by such project.**

**12. The risk of loss to any of the Facilities by fire or otherwise shall remain with the Town until the Closing date and delivery of the aforesaid deed.**

**13. The Town and HRSD agree to execute all documentation and take all necessary actions to effectuate this Agreement.**

**14. HRSD shall provide wastewater collection and treatment service only in areas designated by the Town as Wastewater Service Areas.**

**15. Any notices required pursuant to the terms of this agreement shall be deemed effective when delivered to Administrator of the Town of Urbanna, P.O. Box 179, Urbanna, VA., 23175 or to the General Manager of the Hampton Roads Sanitation District, P.O. Box 5911, Virginia Beach, Virginia, 23471-0911 by certified mail, return receipt requested.**

**16. This Agreement, and exhibits attached hereto, represent the full**

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agreement and understanding of the parties hereto, there being no additional agreements written, oral or otherwise. This Agreement may be amended only by written approval of both of the parties hereto.

17. The Town warrants that it has the permission and authority derived under its corporate charter to execute the Agreement and that all the necessary actions of the Town's governing body to allow execution of the Agreement have been completed.

18. This Agreement shall survive settlement and conveyance of title.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed by their duly authorized officers as of the day, month and year first above written.

Approved as to form: Town of Urbanna

|               |                 |                    |
|---------------|-----------------|--------------------|
|               | BY _____ (Seal) |                    |
| Town Attorney |                 | Town Administrator |

Hampton Roads Sanitation District

BY \_\_\_\_\_ (Seal)  
General Manager

Council Member Mason moved that the Town Council authorize the Town Attorney and Town Administrator to proceed with the Agreement between the Town of Urbanna and HRSD. Council Member Filling seconded the motion. The motion passed unanimously.

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Council Member Richwine reported that the HRSD Commission, at their November 24, 1998 meeting approved the HRSD's staff recommendation to "Authorize the General Manager to execute the three agreements and addenda associated with the Small Communities Division on the Middle Peninsula." He said the Small Communities Division (SCD) may commence implementation of the provisions of the Original Agreement, passed earlier this year by Council, once the addenda have been considered and decided upon. Mr. Richwine said the addenda has been proposed to us by Jim Pyne, SCD Chief for HRSD. Mr. Richwine stated that this Addendum I has been distributed to Council he would like to ask for their approval noting that this action is an approval in form with a lot of the blanks to be filled in as financial date becomes available. He stated it has been seen and approved by the Town Attorney. Council Member Richwine moved that the Urbanna Town Council approve Addendum I as to form and submit notice of this approval to the SCD of HRSD. Council Member Taylor seconded the motion. The motion passed unanimously. Council Member Richwine stated he would notify Jim Pyne and submit a letter for the Mayor's signature.



**TOWN  
COUNCIL**

**Agenda Item Summary**

**SEPTEMBER 25, 2025  
WORK SESSION**

**Agenda Item: 9 – WORK SESSION MATTERS**

**9b Drinking Water Funding Workshop**

**Background:** The Office of Drinking Water in collaboration with the Southeast Rural Community Assistance Project (SERCAP) is hosting a no-cost Drinking Water Funding Workshop on September 25 in Fredericksburg. This workshop will feature representatives from funding agencies and other assistance providers, who will give presentations on funding options, eligibility criteria, application deadlines, and more. The workshop will then conclude with a panel discussion where participants will have the opportunity to get advice on their specific projects from the presenters and fellow attendees.

The Town Administrator is slated to attend and will provide a brief report at the meeting.

**Fiscal Impact:** None.

**Staff Recommendation:** None at this time.

**Council Action Requested:** None at this time.

**Sample Adoption Motion:** None at this time.





**TOWN  
COUNCIL**

**Agenda Item Summary**

**SEPTEMBER 25, 2025**

**Agenda Item: 10 – ACTION ITEMS**

**10a Resolution 2025-018 – Citizen Appointment to Planning Commission**

**Background:** Susan Caskie has moved out of the town for employment reasons and thus is ineligible to serve on the Planning Commission. Her term was set to expire on December 31, 2025. Her resignation has been received. The mayor has sought an appointee, and Mr. William Powers is willing to serve.

**Fiscal Impact:** None

**Staff Recommendation:** Adopt Resolution 2025-018 appointing Mr. William Powers to the Town of Urbanna Planning Commission.

**Council Action Requested:** Adopt Resolution 2025-018 appointing Mr. William Powers to the Town of Urbanna Planning Commission.

**Sample Adoption Motion:** I move to adopt Resolution 2025-018 appointing Mr. William Powers to the Town of Urbanna Planning Commission for the unexpired portion of a four-year term expiring December 31, 2025.

***Motion, Second, Discussion, Voice Vote***

*Proposed for Adoption by the Urbanna Town Council  
September 25, 2025 Regular Meeting*

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**RESOLUTION 2025-018  
CITIZEN APPOINTMENT TO THE PLANNING COMMISSION**

**WHEREAS** there is currently one vacant seat on the Town of Urbanna Planning Commission with an expiration date of December 31, 2025 due to the resignation of Susan Caskie; and

**WHEREAS** there is currently one citizen who has expressed interest in serving on the Planning Commission – William Powers; and

**WHEREAS** the Town Council now desires to make an appointment to this vacant position;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of The Town of Urbanna, Virginia that \_\_\_\_\_ is appointed to the Town of Urbanna Planning Commission for the unexpired portion of a four-year term expiring December 31, 2025.

**DONE** this 25th day of September, 2025.



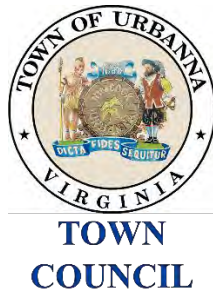
## **TOWN COUNCIL**

### **Agenda Item Summary FOR ALL WORK SESSIONS**

#### **Agenda Item: 11 – COUNCIL ANNOUNCEMENTS & REQUESTS**

Mayor calls on each councilmember by name to share any announcements or requests.

This time is generally used for individual councilmembers to share information with other councilmembers and the public and to make any announcements of interest to citizens. Councilmembers may also request information from staff and/or items requiring action for inclusion on a future agenda during this time. This time should not be used to respond to Public Comment issues.



## Agenda Item Summary

SEPTEMBER 25, 2025

### Agenda Item: 12 – CLOSED MEETING

**Motion:** I move that the Town of Urbanna Town Council convene in Closed Meeting in accordance with Section 2.2-3711 (A)(3) of the Code of Virginia to discuss or consider the acquisition of real property for the public purpose of the location of Town Hall, because discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Council.

***Motion, Second, Discussion, Roll Call by Clerk***

### Reconvene/Certification of Closed Meeting

**Motion:** I move to reconvene in open session and certify that only the matter identified in the motion to go into closed meeting was heard, discussed, or considered in accordance with Section 2.2-3712 (D) of the Code of Virginia, 1950.

***Motion, Second, Roll Call by Clerk [Each member must individually certify. If any council member votes against certification, he/she must so state at this time.]***

### Action on Closed Meeting (if necessary)

**Action on matters discussed in Closed Session, if necessary.**