

BOARD OF SUPERVISORS
COUNTY OF FAUQUIER
WARRENTON, VIRGINIA

AGENDA

February 24, 2009

SPECIAL MEETING
Warren Green Meeting Room
10 Hotel Street • Warrenton, Virginia 20186
6:00 P.M.

Possible additions to the agenda and related materials are not set forth herein.

1. **CALL TO ORDER**
2. **ADOPTION OF THE AGENDA**
3. **A RESOLUTION GUARANTEEING PAYMENT TO THE FAUQUIER COUNTY WATER AND SANITATION AUTHORITY IN THE AMOUNT OF UP TO \$6,062,130 TO FUND THE COST TO EXPAND THE VINT HILL SEWAGE TREATMENT PLANT TO 950,000 GALLONS PER DAY CAPACITY** (R. Holder Trumbo, Jr., Sponsor; Paul S. McCulla, Staff)

Next Regular Meeting
Warren Green Building • 1st Floor Meeting Room
10 Hotel Street • Warrenton, VA 20186
March 12, 2009 ~ 6:30 P.M.

CONSENT AGENDA REQUEST

Sponsor:

R. Holder Trumbo, Jr., Chairman, Scott District
Supervisor

Board of Supervisors Meeting Date:

February 24, 2009

Staff Lead:

Paul S. McCulla, County Administrator

Department:

County Administration

Topic:

A Resolution Guaranteeing Payment to the Fauquier County Water and Sanitation Authority in the Amount of up to \$6,062,130 to Fund the Cost to Expand the Vint Hill Sewage Treatment Plant to 950,000 Gallons Per Day Capacity

Topic Description:

The Fauquier County Water and Sanitation Authority has opened the bids on the Vint Hill Waste Water Treatment Plant Expansion Project. The total cost of the expansion project is \$6,062,130.00. The Vint Hill Economic Development Authority has an option to purchase 43% of the allocation. The County's contribution would be \$3,455,414.10. At this time, Ike Broaddus, Chairman of the Vint Hill Economic Development Authority Board, has stated that the Authority has not yet determined whether it will exercise its option to purchase the capacity.

Requested Action of the Board of Supervisors:

Hear comments from the Vint Hill Economic Development Authority Board, discuss the issue and consider adoption of the attached resolution.

Financial Impacts Analysis:

Full funding of the whole plant expansion will be \$6,062,130.00. Should the Vint Hill Economic Development Authority fully exercise its option, the County's share of the project would be \$3,455,414.10. It is proposed that either option be bond funded. Cost implications for each will be discussed at the meeting.

Identify any other Departments, Organizations or Individuals that would be affected by this request:

Fauquier County Water and Sanitation Authority
Vint Hill Economic Development Authority

Attachments:

Financing Agreement – currently being worked on by the County Attorney and Fauquier County Water and Sanitation Authority legal counsel

RESOLUTION

A RESOLUTION GUARANTEEING PAYMENT TO THE FAUQUIER COUNTY WATER AND SANITATION AUTHORITY IN THE AMOUNT OF UP TO \$6,062,130 TO FUND THE COST TO EXPAND THE VINT HILL SEWAGE TREATMENT PLANT TO 950,000 GALLONS PER DAY CAPACITY

WHEREAS, Virginia Department of Environmental Quality regulations require the Fauquier County Water and Sanitation Authority to upgrade the Vint Hill sewage treatment plant; and

WHEREAS, the Fauquier County Board of Supervisors and the Vint Hill Economic Development Authority have funded the necessary engineering and design work to expand the sewage treatment plant's capacity from its present level to 950,000 gallons per day; and

WHEREAS, the cost of expanding the plant is estimated to be \$6,062,130; and

WHEREAS, the Vint Hill Economic Development Authority has previously stated that it would fund 43% of the expansion project; and

WHEREAS, should the Vint Hill Economic Development Authority exercise its option to purchase the capacity and fund its 43% of the cost of the project, the County's 57% share of the project would be \$3,455,414.10; and

WHEREAS, at this time, the Vint Hill Economic Development Authority has not exercised its option to purchase capacity in the expanded plant and has not guaranteed its payment to the Fauquier County Water and Sanitation Authority; and

WHEREAS, the Fauquier County Water and Sanitation Authority has stated that the notice to proceed on the plant expansion project must be issued not later than March 31, 2009, and funds guaranteed to it by either or both the County and the Vint Hill Economic Development Authority; and

WHEREAS, the Fauquier County Board of Supervisors has, by adoption of this resolution, determined that it is in the best interest of the citizens of the County to fund up to 100% of the cost for the expansion; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 24th day of February 2009, That the County of Fauquier does hereby guarantee payment to the Fauquier County Water and Sanitation Authority in the amount of \$3,455,414.10 to fund Fauquier County's 57% share of the cost to expand the Vint Hill sewage treatment plant to 950,000 gallons per day capacity; and, be it

RESOLVED FURTHER, That should the Vint Hill Economic Development Authority fail to exercise its option in full or in part and the Fauquier County Water and Sanitation Authority issue a determination that the option has not been exercised in full or in part and to the

extent not exercised is null and void, the Fauquier County Board of Supervisors does hereby guarantee up to 100% of the \$6,062,130, said amount to be determined based upon the amount, if any, funded by the Vint Hill Economic Development Authority; and, be it

RESOLVED FURTHER, That the County of Fauquier guarantees that such funding shall be in place on or before the Fauquier County Water and Sanitation Authority issues the notice to proceed for the construction of the expansion; and, be it

RESOLVED FURTHER, That the County of Fauquier's funding of this expansion shall be on substantially the same terms and conditions as set forth in the proposed Financing Agreement, a copy of which is attached to and made a part of the resolution; and, be it

RESOLVED FINALLY, That this resolution shall supersede the resolution of the Fauquier County Board of Supervisors previously adopted on October 9, 2008, which resolution shall no longer have any effect.