



**AMHERST COUNTY SERVICE AUTHORITY BOARD
MEETING MINUTES**

AGENDA

June 1, 2021

Administration Building - 153 Washington Street - Public Meeting Room
Amherst, Virginia 24521
1:30 p.m.

- I. Call to Order**
- II. Citizen Comment**
- III. Approval of Agenda**
- IV. Approval of Minutes**
 - A. ACSA Board Meeting – May 4, 2021
- V. Monthly Financial Report**
 - A. April 2021 Financial Report
- VI. Old Business**
 - A. Staff Report
- VII. New Business**
 - A. Appropriation
 - B. Proposed Ordinance 2021-0003 – County Code Changes
 - C. 2021 Electric Power Demand Response Program
 - D. Water & Wastewater Professionals Appreciation Day, June 30, 2021
 - E. Prices Store Water Storage Tank – Cell Tower Lease Amendment No. 3
 - F. Miscellaneous ACSA Matters
- VIII. Citizen Comment**
- IX. Matters from the Members of the Service Authority Board**
- X. Adjournment**

MINUTES

At a regular meeting of the Amherst County Service Authority Board, held at the Amherst County Administration Building on Tuesday, the 1st day of June, 2021, at 1:30 p.m., the following members were present:

SERVICE AUTHORITY (ACSA) BOARD:

PRESENT: David W. Pugh, Jr., Board Chair
Tom Martin, Board Vice Chair
Jennifer Moore, Board Member
Wesley Woods, Board member
Turner Perrow, Board member

ABSENT: None

STAFF: Robert A. Hopkins, PE, Executive Director/Board Secretary
Richard Hall, Assistant Director
Chris Cunningham, Senior Wastewater Operations Supervisor
Mark Popovich, Amherst County Attorney
Regina M. Rice, Executive Assistant/Clerk to Boards

I. Call to Order

Board Chair Pugh called the meeting to order at 1:30 p.m.

II. Citizen Comment

Board Chair noted that no one in the audience wanted to comment and closed this agenda section.

III. Approval of Agenda

By motion of Board member Moore and with the following vote, the ACSA Board approved the agenda for June 1, 2021:

AYE: Mr. Pugh, Mr. Martin, Ms. Moore, Mr. Woods, Mr. Perrow
NAY: None
ABSENT: None
ABSTAIN: None

IV. Approval of Minutes

By motion of Board member Perrow and with the following vote, the Board voted to approve the minutes of the May 4, 2021 ACSA Board meeting:

AYE: Mr. Pugh, Mr. Martin, Ms. Moore, Mr. Woods, Mr. Perrow
NAY: None
ABSENT: None
ABSTAIN: None

V. Monthly Financial Report: April, 2021

Hopkins noted a continued slowdown from January, but ACSA is still doing well in 2021. He said ACSA is lagging in new water service connections, but should pick up with the next financial report with several in May. He updated the budget charts; the monthly chart shows that April was short of projections by about \$71,000, but the cumulative chart shows that, to date, ACSA is about \$84,000 ahead.

Hopkins also referred the Board to Page 5 of the financial report, which shows that ACSA received over \$9,100 of previously written off bad debt from the State Debt Setoff Program. ACSA refers uncollectable bad debts to the Program, which monitors tax returns and other income of debtors and deducts portions to pay bad debts, like unpaid ACSA utility bills.

A. April 2021 Financial Report

1. Water

a. Revenues:

Sales	+ \$181,537.55 (+19.17%) vs. 2020
Total revenues	+ \$162,014.20 (+15.10%) vs. 2020

b. Connections: - \$ 14,961.00 (-20.37%) vs. 2020

In 2021, 13 new water service connections:

37.1% of 2020 total (35)
46.1% of 5 year annual average (28.2)
20.0% of pre-recession annual average (65)

2. Wastewater

a. Revenues:

Sales	+ \$ 27,366.41 (+10.72%) vs. 2020
Total revenues	+ \$ 11,624.73 (+ 4.08%) vs. 2020

b. Connections:

In 2021, 2 new service connection:

12.5% of 2020 total (16)
18.5% of 5 year annual average (10.8)
13.3% of pre-recession annual average (15)

3. Water and Wastewater

a. Sales:	+ \$208,903.96 (+17.37%) vs. 2020
b. Revenues:	+ \$173,638.93 (+12.79%) vs. 2020
c. Total Revenues:	+ \$173,993.93 (+12.70%) vs. 2020

4. Summary:

ACSA continues to slow from January and February, but is still starting strongly in 2021. Water and wastewater sales, water revenues, and total revenues are double digit percent positive vs. the same period of 2020, and wastewater revenues are over 4% ahead. New water and wastewater service connections are low, but expected to increase with warmer spring and summer weather and known planned residential and commercial projects.

Board member Perrow noted that the Appalachian Power utility bills for the ACSA water treatment plant on Page 3 are confusing, in that the big monthly bill changes from month to month, switching between the three different meters at the plant. Hopkins said he was unaware of that and would get Water Office staff to pay more attention to that.

No other Board member commented.

VI. Old Business:

Hopkins reported the following, verbally and/or by the report in the agenda packet:

A. ACSA Staff Report

1. James River Bank Stabilization Project

- No change to severity of problem.
- Hopkins is waiting for a nationwide permit (spring 2021?) and results of the Case grant.
- Hurt & Proffitt completed topo survey, a base sheet and preliminary design of a temporary repair; Hopkins is reviewing/commenting.
- ACSA continues to stockpile construction demolition debris for bank stabilization.
- Hopkins has begun working with US Rep. Ben Cline's office staff on an earmark of budgeted money for the James River project; initial contract made and information given.

No Board member commented.

2. Water and Sewer Infrastructure Projects

- Woodvue Dr. Water Main Replacement
 - * Phase 3 easements acquisitions resumed for planned construction in 2021; about 30% of property owners have responded to preliminary request, all positively.
 - * See attachment for layout.
- Joint ACSA-County sanitary sewer extension program, Lakeside Drive
 - * Resumed easements acquisitions for 2021 construction; 50% done.
 - * Waiting for VDH answer on stimulus funding grant application.
- Sewage Lift/Pump Station upgrade
 - * Staff working on plans for improvements.
 - * Bid documents being prepared for controls at Lighthouse Lift Station.
- VDOT Woodys Lake Rd Improvements Project, Water & Sewer Relocations
 - * ACSA got final project cost reimbursement; see Agenda Section VII.A.
 - * Project closed out, will be removed from this report.
- VC Mobile Home Park:
 - * Waiting for 7/1 to contact Delegate Walker's office for next steps.
- Graham Creek Reservoir Dam Improvements Project:
 - * Hopkins reviewed H&P preliminary design; H&P working on edits.
 - * Hopkins met 5/22 with land owners across Graham Creek from emergency spillway discharge about protecting creek frontage from spillway flow erosion. They appreciated the consideration and allowed inspection and survey of the property. Hopkins will continue working with them and reporting to the Board.
- Berkshire Place Sanitary Sewer Extension:
 - * Nothing new to report since last Board meeting.

- West Vail Court Sanitary Sewer Extension:
 - * Waiting for developer to approve and sign ACSA-developer agreement for a sanitary sewer extension and pay an \$11,400 partial tap fee payment.
 - * Hopkins is looking at sewer layout option to save money, from recent submittal of concept plan for new townhouse development immediately north of subject property (see attachment). Developer's engineer determined it is viable.
 - * Hurt & Proffitt released for survey of neighboring property for confirmation of option viability.

No Board member commented about any of these projects.

3. EDA Business Friendliness Initiative (per Board-adopted priority chart)

- Priority 1a Complete evaluation of water and sewer availability fees
 - * Rates/fees benchmarking study done and sent to Board members and ACSA's financial consultants to begin rates and fees adjustments investigation and 2022 budget preparation.
- Priority 1b Publicize methods of calculating availability fees
 - * Draft Resolution 2021-003 for proposed Code changes will get a first reading at today's Supervisors meeting and second reading and public hearing at their 6/15 meeting (see Agenda Section VII.B).
- Priority 2 Major upgrade to communications efforts
 - * Assistant Director to develop new ACSA web site, starting upon finishing EPA Risk & Resiliency Assessment in July.
- Priority 3 Policy regarding ACSA extensions of public utility lines
 - * To be included in 2021 ordinance for 2022 rates/fees adjustments.
- Priority 4 Strategic plan for development and services initiatives
 - * To be developed with ACSA Board assistance as part of Capital Improvements Plan development for future ACSA annual budgets.
- Priority 6 ACSA Water Office improvements
 - * Ongoing work.

No Board member commented about any of these topics.

4. COVID-19

- Municipal Utility Relief Program (MURP), Phase 2

ACSA will receive \$6,098.11 from the State to help customers with utility account unpaid balances. Hopkins mailed Public Service Announcement #9 5/28 to customers on installment payment plans with account balances over \$500, so all disbursements can be at least \$100. The County Finance Director is preparing the certification and Memorandum of Understanding for the County to serve as fiscal agent for the money distribution, like last time. The deadline for application submittal by customers is 6/30. Hopkins expects the grant to be totally applied before August.

No Board member commented.

VII. New Business

A. Appropriation

Hopkins reported Woodys Lake Road water and sewer relocations with VDOT funding complete; this appropriation moves the last VDOT reimbursement to the ACSA budget to eliminate a deficit from when the last contractor invoice was paid.

Board member Martin commended Hopkins for his work in arranging the VDOT agreement which garnered over \$1.1M from VDOT to relocate the ACSA utilities.

By motion of Board member Martin and with the following vote, the ACSA Board approved the requested appropriation of \$267,260.75 from ACSA reserves:

AYE:	Mr. Pugh, Mr. Martin, Ms. Moore, Mr. Woods, Mr. Perrow
NAY:	None
ABSENT:	None
ABSTAIN:	None

There was no other Board member comment.

B. Proposed Ordinance 2021-0003 – County Code Changes

Hopkins reported on previous 2021 Board meetings that included discussions regarding County Code changes to promote economic development and facilitate ACSA operations. Attached Ordinance 2021-0003 was emailed to the Board last week and is the result of those previous discussions and includes changes to Code Sections 15-121, -128, -129 and -131 as directed by the Board, with added changes per the request of Board member Perrow since the last meeting. The County Attorney has also reviewed and approved the proposed Ordinance.

Board member Martin requested clarification of the 250' in the Priority Service Area definition being added to -121, if that distance is from the building or from the property line to the public utility. Hopkins considers it from the property line; "premises" is what is owned. All Board members agreed. County Attorney Popovich noted that "premises" should include the property and all improvements.

Martin asked who pays for public main extensions to serve development. Hopkins said ACSA policy has always been that development pays for development.

By motion of Board member Martin and with the following vote, the ACSA Board authorized Hopkins to take Resolution 2021-0003 to the County Supervisors for the required two readings and a public hearing and Supervisors adoption:

AYE:	Mr. Pugh, Mr. Martin, Ms. Moore, Mr. Woods, Mr. Perrow
NAY:	None
ABSENT:	None
ABSTAIN:	None

There was no other Board member comment.

C. 2021 Demand Response Program

Hopkins described the Program for the two new Board members and noted that ACSA switched contractors three years ago, with projected payments increasing from \$2400 in 2019 to a projected \$3900 to ACSA for 2021. Hopkins answered a couple questions of clarification regarding schedule for the annual tests.

There was no Board member comment.

D. Water & Wastewater Professionals Appreciation Day, June 30, 2021

Hopkins reminded the Board of the annual day of recognition of those that work in the water and wastewater industry. He informed the Board that he ordered tee shirts for ACSA staff, recognizing the day and the 2021 waterworks performance excellence award from the VA Dept of Health, and requested Board direction to the Board Chair to co-sign a letter of appreciation to ACSA staff.

Board Chair Pugh commended ACSA staff for their hard work and dedication to the job, noting the long hours and the lack of public appreciation for what they do, and citing the Board's appreciation.

By motion of Board member Moore and with the following vote, the ACSA Board directed the Board Chair to join Hopkins in signing a letter of appreciation to staff for Water & Wastewater Professionals Appreciation Day:

AYE: Mr. Pugh, Mr. Martin, Ms. Moore, Mr. Woods, Mr. Perrow
NAY: None
ABSENT: None
ABSTAIN: None

There was no Board member comment.

E. Prices Store Water Storage Tank – Cell Tower Lease Agreement 3rd Amendment

Hopkins reported to the Board his work since March 2017 on what began as a proposed second amendment to ACSA's cell tower lease agreement with New Cingular Wireless, which, because of the time taken to date to finish and another required amendment in 2020, is now a proposed third amendment. It has the purpose of extending the lease from 2029 to 2048, with rent escalator revisions and other changes. A brief history of it is in the attached staff report. He noted that he and County Attorney Lockaby have worked on this for four years and have okayed the attached draft amendment, for which he requests Board authorization to sign and record.

By motion of Board member Perrow and with the following vote, the ACSA Board authorized the ACSA Executive Director to sign and record the attached draft Third Amendment to the Prices Store Tank Lot cell tower lease agreement with New Cingular Wireless, LLC:

AYE: Mr. Pugh, Mr. Martin, Ms. Moore, Mr. Woods, Mr. Perrow
NAY: None
ABSENT: None
ABSTAIN: None

There was no Board member comment.

F. Miscellaneous Matters

1. July 2021 ACSA Board Meeting

The next meeting is scheduled for July 6, the day after the Independence Day holiday. Hopkins noted that the Board often cancels the July meeting when it falls right before or after Independence Day, to avoid conflict with the long holiday weekend. He suggested that the Board may wish to cancel the July 2021 Board meeting.

By motion of Board member Pugh and with the following vote, the ACSA Board voted to cancel the July 2021 ACSA Board meeting:

AYE: Mr. Pugh, Mr. Martin, Ms. Moore, Mr. Woods, Mr. Perrow
NAY: None
ABSENT: None
ABSTAIN: None

2. 2020 VA Dept. of Health Silver Waterworks Performance Excellence Award

At the May meeting, the ACSA Board was informed that ACSA was to receive this award from VDH. The certificate was received after the meeting and is attached for ACSA Board review (see attachment).

3. RiverEdge Trail Phase 3A Extension – Non-Interference Agreement

On May 18 meeting, the Supervisors authorized the County Administrator to sign the agreement negotiated by ACSA staff, County staff, and the County's project engineers; prepared by County Attorney Popovich; and reviewed by the ACSA Executive Director, ACSA Attorney Lockaby, and the contractor. ACSA is still waiting for final contractor acceptance and execution of the escrow, after which the agreement will be executed and the entire document recorded.

On May 21, the ACSA Executive Director learned that construction had begun before the escrow and agreement were executed and recorded, and before the pre-construction sewer/manhole inspections had been performed. He called County staff May 24 and requested construction be halted until they were both done, to ensure protection of the ACSA sanitary sewer line from damage. The County Building Official responded that he discussed it with the County Purchasing Office and Community Development Director and was told that construction would be stopped that day until all required pre-construction work was completed. To Hopkins' knowledge, construction is still stopped.

4. 2020 Drinking Water Quality and Consumer Confidence Report

Each year, ACSA must prepare and distribute to all ACSA customers a report describing ACSA's 2020 performance of its mission (USEPA is trying to double this, to twice annually). The attached report was prepared, sent to VA Dept. of Health for review, is being printed, and will be provided to ACSA customers by mail and email in June and placed on the ACSA web site (see attachment).

5. Staff retirement

Water Operator Class II Dylan Byers turned in his 2 week notice in late May; he is leaving to take a job at another water plant in Lexington, presumably to join Josh Fore, who left ACSA earlier this year. Ads to replace Byers have been placed in the County and Lynchburg newspapers and online.

6. Notice of Violation

Hopkins noted that this is an addition to the published agenda, since it was received after the agenda was published. The VA Dept. of Health issued an NOV for failure to complete bacteriological testing of finished water in the distribution system, sending only 14 of 15 monthly samples to the testing lab in April.

In fact, ACSA sent all 15, and ACSA's agent with VDH reported that this is a normal occurrence with the State lab; he said he knows how reliable ACSA is and believes all samples were sent, but by VDH rules, if the State lab reports it, he has to issue the NOV. He said this happened several months ago with another utility; the State lab reported not getting all the samples, an NOV was issued, then lab staff found the missing sample; it had been misplaced.

The VDH agent told Hopkins that this is not a big deal; he said "if you're going to get an NOV, this is the NOV to get." There is no fine and no adverse impact on the 2021 VDH awards; all that must be done is adding a note to the 2021 Consumer Confidence Report, which Hopkins will do.

Board member Martin asked about delivery documentation. Hopkins replied that, to save a little money, ACSA stopped using FedEx to deliver the samples some years ago, instead dropping them off at the VDH office in Lynchburg to go with their deliveries, so ACSA had no documentation that all 15 samples were sent. This is the first time there has been an issue.

Hopkins has since met with ACSA staff to resolve this issue. Staff now emails the State lab when samples are sent and follows up with a phone call to request email confirmation of receipt. If this does not work satisfactorily, ACSA will go back to using a contractor to deliver the samples. Martin said he appreciates ACSA staff response to this.

There was no other Board member comment.

VIII. Citizen Comment

There were no citizen comments.

IX. Matters from the Members of the Service Authority Board

Board member Woods had nothing to discuss.

Board member Perrow had nothing to discuss.

Board member Moore asked that the new ACSA logo be added to the agenda. Hopkins replied that he is trying, but CivicClerk generates the agenda, CC staff sets the ACSA Board meeting template, and he cannot get CC to reply to his calls. Moore also asked again about the pressure issue around Lyttleton Lane Water Tank; Hopkins replied the only way to increase it would be to raise the tank water level or install a pump, either of which would be very expensive. Moore noted that there was no issue before the 8 new homes on Ridge St. and asked if that could be the issue; Hopkins said the added water use could be causing more pressure fluctuation, but it would not be significant. Board member Perrow asked if the issue is elevation-dependent, or maybe caused by friction loss in the water main; Hopkins said the old 2" galvanized iron water line was replaced by a new 6" PVC line, so he doesn't believe water flow is the problem. Hopkins said the original Ridge St. customer complaint was fluctuating pressure, not high or low pressure, and noted that customers living very near the tank are seeing pressures that are directly related to the tank water level, which fluctuates constantly; they are not getting the benefit of steadier and higher pressures seen by other customers further and lower from the tank. Perrow expressed concern that ACSA is not meeting Health Dept. regulations for water pressure; Hopkins replied that the required VDH minimum is 20 psi and, from discussions with Treatment Manager Dale Fulcher and review of the tank operating criteria, pressure in the tank area should never drop below 28 psi.

Hopkins also noted that at 28 psi, pressure on the second story of a residence could be pretty low; but, again, the complaint was not about low pressure, but fluctuating pressure.

Board Vice Chair Martin had nothing to discuss.

Board Chair Pugh had nothing to discuss.

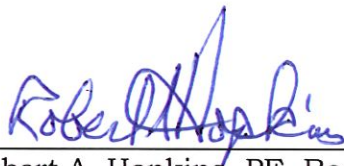
X. Adjournment

By motion of Board member Perrow and with the following vote, the Board adjourned the meeting at 2:17 p.m.

AYE:	Mr. Pugh, Mr. Martin, Ms. Moore, Mr. Woods, Mr. Perrow
NAY:	None
ABSENT	None
ABSTAIN:	None



David W. Pugh, Board Chair



Robert A. Hopkins, PE, Board Secretary