



**AMHERST COUNTY SERVICE AUTHORITY BOARD
MEETING MINUTES**

AGENDA

March 1, 2022

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 – February 1, 2022
- V. Monthly Financial Report**
 - A. January 2022 Financial Report
- VI. Old Business**
 - A. Executive Director's Report
 - B. Assistant Director's Report
- VII. New Business**
 - A. Town of Amherst Wastewater Service at Poplar Grove
 - B. Graham Creek Reservoir Dam Improvements Construction Award
 - C. Madison Heights Softball Field Erosion Assistance
 - D. Miscellaneous Matters
 - E. ACSA-County Memorandum of Understanding
- 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 March 2022, starting at 1:30 p.m., the following members were present:

SERVICE AUTHORITY (ACSA) BOARD:

PRESENT: Tom Martin, Board Chair
Turner Perrow, Board vice Chair
David Pugh, Board Member
Wesley Woods, Board Member
Drew Wade, Board Member

ABSENT: None

STAFF: Robert A. Hopkins, PE, Executive Director/Board Secretary
Richard Hall, Assistant Director
Mike Lockaby, Amherst County Attorney
Regina M. Rice, Executive Assistant/Clerk to Boards

I. Call to Order

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

II. Citizen Comment

Board Chair Martin opened the floor for comment by meeting attendees.

Amherst County Economic Development Authority Director Hanson presented a letter from EDA Board Chair Chad EBay objecting to the Executive Director reporting EDA "refusal" to assist local developer Frank Good Construction, Inc. with project funding to build eight new homes on Ned Brown Rd. in Monroe. The letter read the EDA did not "refuse"; rather, the project did not meet EDA qualifications for funding help. Copies of the letter were distributed to all. Executive Director Hopkins said he would amend the Executive Director's report and append the letter to the meeting minutes. (See Attachment 1)

Martin closed Citizen Comment when no other meeting attendee wished to speak.

III. Approval of Agenda

By motion of Board member Pugh and with the following vote, the ACSA Board voted to approve the agenda for the March 1, 2022 ACSA Board meeting:

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

IV. Approval of Minutes

A. ACSA Board Meeting – February 1, 2022

Board Chair Martin noted confusion in the draft minutes regarding election of the Board Chair and Vice Chair. Executive Director Hopkins agreed, saying he was going to bring this to the Board's attention. He continued that the election of the ACSA Board Chair is reported correctly, but the paragraph in the middle of Pg. 554 should read ".....the ACSA Board elected Board member Perrow to replace 2021 Board Vice Chair Martin as Board Vice Chair for 2022."

By motion of Board member Pugh and with the following vote, the ACSA Board voted to approve the draft minutes of the February 1, 2022 Board meeting, as amended:

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

V. Monthly Financial Report:

A. January 2022 Financial Report

Executive Director Hopkins compared ACSA finances for January 2022 to the previous month and year-to-date through the same period from the previous year:

1. Water

a. Revenues:

Sales (top line & boxed area of Section I.A)	- \$100,303.53 (- 28.13%)
Total revenues	- \$ 98,238.55 (-26.00%)

b. Connections:

Thru January, 1 new water service connection (1 in January):

2.3% of 2021 total (44, an increase of 9 from 2020)
2.7% of 5 year annual average (37.0, increase of 8.8 from 2020)
1.5% of pre-recession annual average (65)

Tap fees:	+ \$	0.00 (+ 0.00%)
-----------	------	----------------

2. Wastewater

a. Revenues:

Sales (top line & boxed are of Section I.B)	+ \$	192.15 (+ 0.25%)
Total revenues	+ \$	714.91 (+ 0.91%)

b. Connections:

In 2021, 16 new service connection (0 in December):

100.0% of 2020 total (16)
148.2% of 5 year annual average (10.8)
106.7% of pre-recession annual average (15)

Tap fees:	+ \$	44,385.00 (+ 63.97%)
-----------	------	----------------------

3. Water and Wastewater

a. Sales:	- \$416,569.07 (- 8.99%)
b. Revenues:	- \$298,716.67 (- 6.89%)
c. Total Revenues:	- \$271,866.67 (- 5.06%)

4. Summary:

January water sales and revenues showed a marked decrease from December 2021. But a 1/26/2021 \$94,886.25 VDOT reimbursement (receipt appended to the financial report) for Woodys Lake Rd water and sewer replacements artificially inflated January 2021 water sales and revenues; the reimbursement was made by electronic deposit and ACSA accounting software requires all such

deposits to be recorded as water sales. To get a true picture of ACSA water sales and revenues for January 2022, the reimbursement must be deleted from January 2021. Doing so reduces the January 2022 deficits compared to January 2021 from \$100,303.53 and 28.13% for water sales to \$5,417.28 and 2.07%; for water revenues, the deficits reduce from \$98,238.55 and 26.00% to \$3,352.30 and 1.19%. Such deficits are minimal when one considers that this is for the first month of the year. There is one more 2021 VDOT reimbursement to be addressed in this way in ACSA financial reports; that will be in May for the final project closeout reimbursement. Final purchase and implementation of new County financial accounting software in 2022-2023 will eliminate having to do this in the future, as non-sales and non-operational revenues will be more appropriately accounted.

ACSA had 1 new water service connection in January 2022, repeating January 2021. It is anticipated that the financial report for February 2022 will show a marked improvement in new service connections.

January wastewater sales and revenues improved significantly from December and were slightly ahead of January 2021.

There were no new service connections in January, which matches 2021.

Combined water and wastewater sales in January 2022 were down \$100,111.38, 23.07%, from January 2021. Correcting the report figures to account for the January 2021 VDOT reimbursement cited above reduces these deficits to \$5,225.13 and 1.54%. Total ACSA revenues for January 2022 were down \$96,358.65, 20.98%, from January 2021. The VDOT reimbursement cited above was ACSA revenue, but not ACSA operational revenue; to correctly assess ACSA performance in January 2022, the reimbursement should be deleted, resulting in reduction of those figures to \$1,472.39 and 0.40%, inconsequential figures for the first month of the budget year.

ACSA received no revenue in January from the State Debt Setoff Program to defray uncollectable unpaid utility account balances.

In response to discussions at the last ACSA Board meeting, the Total Accounts Receivable, Monthly, chart will be renamed Total Cash Received, Monthly; similarly, the Total Accounts Receivable, Cumulative, chart will be renamed Total Cash Received, Cumulative. Upon completion and adoption by the ACSA Board of the amended 2022 budget, after finalization of water and sewer rates adjustments at the February ACSA Board meeting, both charts will be prepared for presentation in future monthly financial reports.

A comparison of the number of active service connections five years ago (January 2017) and now results in the following table:

	<u>2017</u>	<u>2022</u>	<u>Change</u>
No. of business water connections	428	420	-8
No. of residential water connections	5,568	5,993	+425
No. of total water connections	5,996	6,413	+417 **
No. of business sewer connections	202	200	-2
No. of residential sewer connections	821	904	+83
No. of total sewer connections	1,023	1,104	+81 ***

** An average annual increase of 83.4 connections for the 5 years.

*** An average annual increase of 16.2 connections for the 5 years.

Board member Pugh noted February to be a month of terrible weather, affecting construction. He said that would impact ACSA finances negatively, which are not as desired during winter months, anyway. Hopkins responded that February was actually probably the best month for connections since he came to ACSA and that will be reported next month.

Board Vice Chair Perrow noted "hardships" pertaining to ACSA's calendar budget year vs. the County's fiscal budget year and asked County Attorney Lockaby if there was any reason ACSA could not change to a fiscal year budget. Lockaby replied that there are no legal issues – Board would just need to do it – but there might be short-term operational issues for ACSA staff and County Finance Dept. staff, but which would work themselves out in the long-term. He added that he is not aware of any other public body that operates on a calendar year budget, but this is the way ACSA has historically operated.

Pugh asked for input from Hopkins and County Finance Dept. Director McBride. Hopkins replied that there are no problems for ACSA staff, though her assistance with the ACSA budget while preparing the County budget could be a problem for McBride. McBride added that it would be better for both budgets to be on a fiscal year. She noted that actuarial reports issued by the VA Resources Authority are actually 18 months late for ACSA use because of the calendar year budget. She said the new County financial software will facilitate the change in 2022.

Perrow requested that Hopkins and McBride discuss this further and the ACSA Board April meeting agenda include talking about this further and made a motion that the next regular meeting of the ACSA Board include a discussion regarding the advantages and disadvantages of changing ACSA from a calendar year budget to a fiscal year budget. Board Chair Martin amended the motion to include discussion of what is needed to include ACSA consideration in the new County financial software. The amended motion was approved by the following vote:

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

There was no other Board member comment.

VI. Old Business:

A. Executive Director's Report

Executive Director Hopkins reported the following, verbally and/or by the report in the agenda packet, concentrating on important matters, due to meeting time. *Italicized text is updated information since the last Board meeting.*

1. James River Bank Stabilization Project

- No change to the severity of the problem.
- Hopkins is waiting for a nationwide permit from Hurt & Proffitt (2021?).
- ACSA continues to stockpile construction demolition debris for temporary bank stabilization in 2022, pending funding and completion of permanent revetment project.
- Hurt & Proffitt completed topographic surveying, a base sheet drawing, and preliminary design of the temporary repair; Hopkins reviewed/commented and plans a 2022 project.

- Hopkins attended US Rep. Ben Cline's 12/13 Town Hall in Monroe, talked to aide Aaron Van Allen, and re-sent 6/2021 emails asking for a congressional earmark to fund the work. Van Allen replied in December that he is working on this for ACSA.
- Hopkins has Hurt & Proffitt's grant administrator looking into General Assembly HB 7001, funding for sewer repairs, replacements, and upgrades, for this and other projects.
- No change on either of these potential funding alternatives:
 - * County Supervisors funding assistance for ARPA funding received
 - * Region2000 hazard mitigation grant funding application

2. Water and Sewer Infrastructure Projects

- Woodvue Dr. Water Main Replacement
 - * Hopkins is working on easement acquisitions for a project by ACSA staff.
- Joint ACSA-County sanitary sewer extension program, Lakeview Drive
 - * Hopkins is working on easement acquisitions for 2022 construction.
- Sewage Lift/Pump Station Upgrades
 - * *Executive Director Hopkins reported that his statement at the 2/1 Board meeting that all ACSA sewage pump stations were now fully equipped and operational was incorrect. One new pump is needed at Lighthouse and Abbitt pump stations, and since the existing pump design is outdated, both pumps at each pump station must be replaced. This will be completed in early 2022. The age and condition of operational controls at several ACSA pump stations requires replacements in 2022 or 2023, depending on costs. Upon completion of these repairs, a program of an annual overhaul of one pump station will be inaugurated, resulting in every pump station being updated every decade.*
 - * *Hopkins was also informed that the emergency sewage pump – used for pump station operation during power outages, equipment failures, etc. - is in need of repairs. That work will also be completed in early 2022.*
- VC Mobile Home Park
 - * VDOT approved the alternative design/construction variance from what was cited in their review comment letter of the final construction drawings.
 - * *ACSA has the materials for the first 450' of Colony Road water main to Sunset Dr.; that work will begin as soon as VDOT issues a permit and local asphalt plants re-open in spring 2022.*
 - * Hopkins hopes to have the remaining Phase 1 materials by the time the first 450' is installed.
 - * *Hopkins submitted in December the first State reimbursement request from the \$250,000 State funding, for \$11,710.00 for design and construction drawings. ACSA has not received the reimbursement and is waiting for an update from the State official tasked to administrate the reimbursements.*
 - * ACSA is working with CVTC staff and VDOT to finalize survey of existing water mains to be replaced, starting in 2022. VDOT is identifying campus roads that are or will be in the public road system and the right-of-way widths for each; Hopkins plans to establish easements for the new water mains immediately adjacent to the road right-of-ways.

- RiverEdge Park

- * ACSA Operations Manager Micklem suggested installing a gate valve on the City water supply line to CVTC, immediately after the last of the other service connections on the line. Hopkins is considering it and will talk to the City about ACSA doing this in 2022.

- Graham Creek Reservoir Dam Improvements Project

- * VA Dept. of Conservation & Recreation approved the plans in December and issued a Dam Alterations Permit and a Conditional 2 Year Operations & Maintenance Certificate 1/27.
- * VA Dept. of Environmental Quality approved the plans for stormwater management concerns in December *and issued a VA Pollutant Discharge Elimination System (VPDES) permit on 2/23.*
- * Construction bidding was advertised 1/23/2022, with this preliminary project schedule:

Advertise for bids	January 23, 2022
Preconstruction conference	February 3, 2022
Bids Due	February 24, 2022
ACSA Board approval	March 1, 2022
Notice to Proceed	April 4, 2022
Completion (8 months)	December 2022

- * *Construction Bids were received by 2:00 p.m. on 2/24. See Agenda VII.B for a tabulation of bids for ACSA Board approval and authorization, by motion and vote, to award the contract to the lowest responsible bidder. ACSA consulting engineers Hurt & Proffitt is evaluating the bids and will make a formal recommendation on contract award before the ACSA Board meeting.*
- * *At the 2/1 meeting, the ACSA Board adopted Resolution 2022-A-0002-R for required ACSA Board support for a grant for \$42,900 for construction administration, and Resolution 2022-A-0003-R as the required ACSA Board support for a grant of up to the maximum of \$250,000 for a grant to help fund the actual construction. Both grant applications were sent to the Dept. of Conservation & Recreation in February and are expected by H&P to score high in DCR's evaluations.*
- * ACSA submitted a grant reimbursement request of \$2,250 to DCR for the 10/26 tabletop exercise for the revised Emergency Action Plan.

- Berkshire Place Sanitary Sewer Extension

- * *The HFH-suggested site visit with HFH in January did not occur. Hopkins is waiting for HFH to call to reschedule. Hopkins added that Debbie Habel called him yesterday to discuss moving forward.*

- West Vail Court Sanitary Sewer Extension

- * Hopkins is working on getting the necessary easement from the adjacent property owner (the proposed Violets View development). *A meeting scheduled for the second week in February did not happen and Hopkins is trying to get it re-scheduled with the property owner.*
- * Bidding/construction will proceed after County approval and completion of the easement acquisition from the adjacent property owner.

- Amherst County Gateway (River Road) Sanitary Sewer Extension
 - * Hurt & Proffitt is proceeding with field survey and geotechnical (rock search) work.
- Ned Brown Road Water Main Extension
 - * Frank Good Construction contacted ACSA in early 2021 about an ACSA water main extension to the end of Ned Brown Rd for development of eight new homes on lots (see attachments).
 - * Project: 750' water main extension in an ACSA easement outside the road right-of-way.
 - * Hopkins is working with FGC to fund the project similar to a 2018 project on Ridge St. in Madison Heights: FGC provides the ACSA easement and clears, de-stumps, and grades the easement for the pipe installation; ACSA provides the installation labor and equipment (\$30,000); and EDA funds materials and engineering services (\$25,000). FGC submitted an application for the funding. *EDA refused to provide funding assistance, but ACSA is proceeding with the work.*

[NOTE: During the first Citizen Comment period at this meeting, EDA Director Hanson presented a letter from EDA Board Chair Chad Eby objecting to the statement that EDA "refused". Hanson said, and noted that the letter reads, that the contractor's application was reviewed and a decision made by EDA that the project did not meet the criteria to merit EDA funding. Eby's letter is appended to these minutes.] (See Attachment 2)

 - * ACSA has the construction materials and is ready to proceed with construction, after FGC finishes the easement preparation. Construction expected in March 2022, *but may be delayed by FGC.*
- Monacan Indian Nation Projects Water Main and Sanitary Sewer Extensions
 - * *In his review of two MIN site plans, one for the MIN office building/ senior center, the other for a MIN medical clinic, Hopkins noted lack of coordination between the two engineers for new public utilities that will serve both developments and proposed some changes, which were accepted by MIN and both engineers. Both site plans are in the process of being revised accordingly, but site plan review comments by VDOT will possibly require changes to Hopkins' suggestions.*
 - * *MIN is working to an accelerated schedule for the office building/ senior center project and needs the new public water main and sanitary sewer extension as soon as possible, but are delayed until VDOT comments are resolved.*
 - * *ACSA will install the water main extension with its own crew, but will advertise for construction bids for the sewer extension. In both cases, the ACSA costs will be reimbursed by MIN.*
- Seminole Park Improvements – Water Service Installation
 - * *Hopkins is working with County Parks & Recreation Director Nalley on a new water service for the dog park, which will be installed by ACSA crew, with County P&R reimbursement of costs.*

- Amherst Senior Center

- * Hopkins is working with developer Terry Morcom on a possible sanitary sewer extension from the ACSA project to install new sanitary sewer facilities on River Road (if and when it is completed). Morcom understands the ACSA project, supported with County ARPA funding, is for sanitary sewer along River Rd, with a pump station and force main to the ACSA sewer at John Lynch Bridge, and does not include further extensions of tributary sewers into adjacent properties to facilitate the development.
- * At the 1/18/2022 Supervisors meeting, Hopkins was asked to prepare a very preliminary, pre-design cost estimate for the Morcom extension project. Hopkins sent this cost estimate to the Supervisors 2/13.
- * Morcom attended the 2/1 ACSA Board meeting to request the sanitary sewer extension.

- Seminole Plaza Shopping Center – 2022 Sanitary Sewer Overflow Complaint

- * The latest event in this longstanding issue with the shopping center private sanitary sewer system occurred 2/4. The fourth sewage overflow at 109 Sycamore Lane in four years was immediately addressed by the shopping center owners, indicating the courthouse documents found in 2020 by Hopkins have finally convinced the site owners of their sewer ownership responsibility.
- * Hopkins called Gary Gilliam, VDH, involved, who called Allen Linkenhoker, DEQ. That call resulted in a call to Hopkins from Drew Miller, DEQ, about possible DEQ funding of a project to replace the private sewer system, or at least the line from the shopping center to the ACSA public trunk sewer; the funding would go to ACSA, since DEQ cannot fund a private project, so ACSA would have to be willing to take over the system, with easements being provided by the shopping center owners. The initial suggestion was a DEQ loan; Hopkins replied that ACSA would prefer a grant, because of existing and future debt service responsibilities, some resulting from a DEQ-mandated project. Miller said a loan could eventually be partially or completely forgiven, but Hopkins noted that ACSA could not subscribe to a loan which it could not afford on the possibility of future forgiveness. Miller said he would look into expanding to central Virginia a pilot program in southwest Virginia which could provide funding. Hopkins offered to help, possibly by contacting local State government representatives for support to either expand the SW VA pilot program or create and fund a similar pilot program in central Virginia. Miller is investigating both suggestions and will get back to Hopkins.

3. EDA Business Friendliness Initiative

- Priority 1a Complete evaluation of water and sewer availability fees
 - * Hopkins is awaiting ACSA Board member comments on a draft fees policy statement to be published on the new ACSA web site.
- Priority 2 Major upgrade to communications efforts
 - * See the Assistant Director's Report in Agenda Section VII.B about a new ACSA web site.
- Priority 3 Policy regarding ACSA extensions of public utility lines
 - * County Code edit tabled until 2022.

- Priority 4 Strategic plan for development and services initiatives
 - * To be developed with ACSA Board assistance in 2022 as part of Capital Improvements Plan development for future ACSA annual budgets.
- Priority 6 ACSA Water Office improvements
 - * Hopkins and Hall are working with State officials on a possible lease of and Water Office relocation to Building 10 of the Lower Rapidan area of Central Virginia Training Center.

4. COVID-19

- Municipal Utility Relief Program (MURP), Phase 3
 - * *ACSA completed allotment of \$46,291.28 from a VA Dept. of Housing & Community Development grant to assist ACSA customers with account arrearages. All money was used; none was returned to DHCD. A total of 171 ACSA customers received assistance. The County Finance Dept., the State funding partner for receipt of State money, was provided results for forwarding to DHCD.*
 - * *The money was distributed on a 3:1 match basis; ACSA customers got \$3 in State money for each \$1 paid by customers. This resulted in an additional \$13,353.48 collected from customers to address utility account arrearages. Total ASA revenue from this effort is \$59,644.76.*
- MURP, Phase 4 (Low Income Household Water Assistance Program)
 - * The VA Dept. of Social Services is establishing LIHWAP, with funding from the Federal government. LIHWAP will offer one-time annual assistance of up to \$2500 for residential water-sewer-storm water account arrearages. Eligibility criteria includes net income less than 150% of the Federal Poverty Guidelines and/or existing enrollment in other assistance programs.
 - * LIHWAP is not restricted to pandemic-affected households, so all ACSA customers with problems paying their utility bills can be helped, which should dramatically reduce arrearages and improve ACSA finances.
 - * LIHWAP was planned to be started January 2023, but has been moved up by demand of the Federal funding partners to 4/2022. DSS has many problems to resolve before then, including procurement of a program administration contractor, and does not expect to meet that deadline.
 - * LIHWAP implementation 4/2022 should immediately follow completion of MURP3 grant money distribution to ACSA customers and further benefit customers and ACSA finances in 2022.
 - * Hopkins volunteered to serve on a committee to help DSS set up LIHWAP. The last meetings were 12/7 and 1/26, with the next scheduled for 2/8.

5. Regulatory Updates

- *Perfluoralkyl and Polyfluoralkyl Substances (PFAs)*
 - * *Hopkins reported at the 2/1 ACSA Board meeting of his intent to engage ACSA's contract testing laboratory to proactively sample, test, and report ACSA raw water sources. It occurred to him that sometimes government agencies require such test results to be submitted, even if the testing is not required by the agencies. He is researching the possibility regarding PFAs; ACSA does not want to be in the position of having to submit test results negative to ACSA if the tests are not even requested or required.*

- VA General Assembly House Bill 1054

* Hopkins reported at the 2/1 Board meeting on this bill, which proposes an automatic moratorium on utility service disconnections by utilities due to customers not paying bills if a State emergency is declared, if temperatures go below 32°F or above 95°F, or during a declared weather emergency. At a recent VA Municipal Drinking Water Association meeting, this bill was reported to be removed from the docket by its author; the bill is now dead.

- VA General Assembly House Bill 119

* Hopkins reported at the 2/1 ACSA Board meeting on this bill, what would preclude a government agency from performing a function that can be done by a private business. At the same VMDWA meeting, this bill was reported removed from the docket by its author; the bill is now dead.

Board member Pugh asked about the possible impact of the W. Vail Ct. sanitary sewer extension on the proposed Violets View townhome development just north of it, on which property Hopkins is trying to get an easement for the extension. Hopkins replied that there would be no impact; the easement and sewer would cross by directional bore a designated wetlands, which is shown on the VV plans not to be disturbed, so there is no proposed VV construction to be affected by the sewer extension.

Pugh then asked about money being appropriated for a new use proposed by Sen. Newman for a portion of the Central VA Training Center campus. Hopkins noted that a \$25M appropriation is proposed to pay off remaining bonds for the Lower Rapidan building renovations a few years ago. Board Chair Martin asked County Administrator Rodgers to elaborate. Rodgers agreed with what Hopkins said and added that the Senate approved it; the House did not. He added he will propose to the Supervisors later today a letter from the County to local House delegates to request support of Newman's proposal. Martin reported a \$3B difference in the proposed Senate and House budgets; Rodgers added that \$25M is not a lot of money in that \$3B difference.

There were no other Board member comments regarding this staff report.

B. Assistant Director's Report

Assistant Director Hall reported the following, verbally and/or by the report in the agenda packet, concentrating on important matters due to meeting time. Italicized text is updated information since the last Board meeting.

1. Cybersecurity

- *All utility organizations are receiving messages concerning potential cyber threats:*

Email, February 15, 2022: "The EPA and Cybersecurity and Infrastructure Security Agency (CISA) are asking critical infrastructure utilities of all sizes to urgently enter a heightened state of cybersecurity awareness. Please feel free to distribute the information below as you see fit. The Concern: a Russian invasion into Ukraine may be imminent. In the past, Russia has historically used cyberattacks to destabilize their enemies' critical infrastructure. There are no specific, credible threats against the U.S. at this time, but there is potential for the Russian government to escalate its destabilizing actions outside of Ukraine..."

- *Check-ups, which includes running security patches and anti-virus scans were performed on Saturday, February 19, 2021.*
- ACSA continues to pursue the following goals to reduce vulnerability:
 - * Multi-factor authentication
 - * Routine employee cyber training
 - * Password Manager
- ACSA's Assistant Director will serve on an upcoming Virginia Association of Municipal Waste Water Agencies cyber committee.

2. New ACSA Website

- Procurement / vendor selection was complete 8/31/2021.
- The project cost is \$7,000.00.
- Clarifications requested by ACSA's Executive Director concerning cybersecurity and web server hosting were provided by the vendor 9/10/2021.
- A kick-off meeting was held with the vendor 9/24/2021.
- Preliminary screenshot of ACSA's new Home Page and tree was presented to ACSA staff on 11/9/2021; an additional follow-up meeting was held 11/29/2021.
- New website is established using the acsava.com domain (a temporary, progress link to the new site is available for staff use only).
- *The Economic Development Authority Executive Director was sent a link for preliminary review while the new website that was still under construction.*
- *ACSA staff received training and access to the front end and back end of the website for update capabilities.*
- *ACSA's new website is ready to go live.*

Hall noted that he has not yet requested a link to the new web site be added to the County website; the old ACSA website should remain in service for utility bill payments for the time being. He will send out a Google search link to the new web site. He said there are still some adjustments to be made. He also requested a photo of Board member Woods for the website.

He asked for Board member comments on the website and was told that it looks good.

3. New inventory management assignment

- Updated Antero Allmax software was installed 9/2/2021
- The Assistant Director is becoming familiar with inventory management software features and commands-plan to perform full inventory of all parts to become familiar with the entire process and determine action items needed.
- Auditors have requested the first week of January for their observations concerning ACSA inventory
- ACSA's assistant director participated in an in-house inventory of stored materials. (several dates in December, 2020)
- January 3, 2022, auditors performed a random count on selected inventory items; the Assistant Director and Crew Leader participated in this activity.
- *ACSA's crew organized and performed major housekeeping (including painting) to the inventory area to prepare for new labeling.*

4. CVTC campus water line tie-ins and replacements.

- Reviewed existing utility mapping and record documents.
- Field review/refresher on 10/25/2021.
- Instructions from ACSA Executive Director:
 - * Mark direct routes to VC Mobile Home Park and CVTC Lower Rapidan area for ACSA water main extensions
 - * Include both 200k gal and 300k gal tanks and CVTC booster pump station as part of distribution
 - * Include east end of Lynchburg City water service line.
- A meeting with professional design consultant Hurt & Proffitt was held 11/15/2021 to review revisions to the original scope; a revised proposal was received 11/17/2021.

5. ACSA Safety Manual Update.

- *ACSA Executive Director assigned the Assistant Director a task to update the Amherst County Service Authority Manual of Safe Work Practices to become the ACSA Safety Manual, including additions/revisions.*

There were no other Board member comments regarding this staff report.

VII. New Business

A. Town of Amherst Wastewater Service at Poplar Grove

Executive Director Hopkins reported that Town Manager Sara McGuffin contacted him in February about Town plans to institute wastewater services in the Poplar Grove area of Amherst County. Poplar Grove is within the ACSA Priority Service Area for water, but the Priority Service Area for wastewater does not extend north of northern Madison Heights and ACSA has no wastewater infrastructure in Poplar Grove. Residents want wastewater service that ACSA cannot at this time provide, and the Town needs wastewater customers. The plan is that a developer will install a new gravity sanitary sewer to Town construction specifications, discharging to a Town sewer interceptor line, then dedicate it to the Town for ownership, operation, and maintenance, as well as service connections.

The Town plans to bill wastewater services based on water usage determined by meter readings, just as ACSA does. Ms. McGuffin requested that ACSA send the Town the Poplar Grove water meter reading data ACSA gets and uses for its water customer billings, providing the data in a download with every bimonthly meter reading cycle, responding to Hopkins' question that the Town would be willing to pay for the data. After consideration, Hopkins thinks it would be simpler for all parties to allow the Town to establish and implement its own program to read ACSA's water meters in the Poplar Grove area. The advantages are:

- Keeping both Poplar Grove area programs – ACSA water services and Town wastewater services – separate from and not dependent on each other;
- Mutual exclusion of both parties from customer complaints regarding utility services provided by the other party;
- Less expensive for the Town to not have to pay ACSA for the meter readings data dump;
- The Town would only expand its program for reading its own water meters;

- The Town could coordinate Poplar Grove wastewater service billings with other Town utility billings, instead of having to coordinate wastewater billings with ACSA water meter readings;
- No Town wastewater billings issues arising from ACSA problems in getting its water meters read;
- No increase of workload on ACSA Water Office staff to establish and administrate the data dump, bill the Town for the information, research and address possible errors in provided data, etc.;
- No customer wastewater billing complaints to the Town that are due to ACSA misreadings of water meters, errors in Water Office processing of the data, mistakes in the data dump, etc.;
- No additional work between ACSA and Town staff correcting wastewater bills to reconcile water service line leaks that inflate water meter readings and other similar problems.

Hopkins has been unable to determine any problematic issues for ACSA having to do with allowing Town staff to read ACSA's water meters at Poplar Grove. He considered the possibility of limiting Town access to ACSA meters to a date when ACSA eventually extends wastewater services to the vicinity of the Town, similar to the existing ACSA water services, but he has no idea how to establish that deadline, and, at such a time, the infrastructure will already have been installed, operated, and maintained and wastewater services provided by the Town for possibly decades.

Pending discussion with the ACSA Board that determine possible problems he has not considered, Hopkins recommends to the ACSA Board that the Town be allowed to read ACSA water meters.

McGuffin said Poplar Grove development has reached a point where something must be done about wastewater. She had an engineer do a study and the best way to address it would be a sewer system connecting to the Town system. Poplar Grove would construct the system to Town standards, give it to the Town, and the Town would not charge availability fees. She requested ACSA Board formal authorization to read ACSA water meters. She agreed with Hopkins that this would be the best way for all parties.

Board member Woods clarified with McGuffin that this is the way the Town would like to proceed.

Board Chair Martin asked about the difference between the Town's meter reading cycle vs. ACSA's. McGuffin provided the Town's; Hopkins noted that ACSA's can vary, making it better that the two not depend on each other. McGuffin added that separating the mailings of water and wastewater billings would also keep things clearer for Poplar Grove residents. Martin agreed, since the meter readings would be different, possibly causing confusion with residents.

Board Vice Chair Perrow asked about the Town providing meter reading data to ACSA, relieving ACSA of meter-reading in Poplar Grove. McGuffin said the Town would be happy to do that. Hopkins noted that the water infrastructure belongs to ACSA, which should not rely on the Town to provide meter readings for ACSA water bills. He added that, in the case of a customer question about a reading, ACSA staff and Town staff would have to research, communicate, and come to a decision about whose problem it is. McGuffin added that it also would not save ACSA much time, due to the limited number of customers on Town sewer billing.

By motion of Board member Wade and with the following vote, the ACSA Board voted to authorize the reading of ACSA water meters in the Poplar Grove area by experienced Town of Amherst meter-reading staff:

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

There was no other Board member comment.

B. Graham Creek Reservoir Dam Improvements Construction Award

Executive Director Hopkins noted his earlier (Section VI.A) report on taking bids for the reservoir dam improvements construction. Reviewing the bid tabulation in the meeting packet, he said he reversed the 2 bids taken; Burleigh Construction actually is the apparent low bidder, not Anderson/Virginia Site Works. He will make that correction in the tabulation. He said he received Hurt & Proffitt's bid recommendation and agrees the bid should be awarded to low bidder Burleigh Construction, for the Base Bid (\$1,925,872.00) and Bid Alternate 2 (\$79,805.00) only; Bid Alternate 1 should not be awarded. He noted that BA1 was to relocate the water supply line from the reservoir to the water plant, rerouting it around the end of the extended spillway, which does not need to be done right now and both bids for that work were exorbitantly high due to concerns of rock. The water line can be relocated at the time the water plant capacity is expanded from 2 MGD to 4 MGD, which will be many years in the future.

Hopkins said the recommended total construction contract would be \$2,005,677, which exceeds the \$1,754,000 borrowed for the project, due to inflation over the last year. But he is optimistic about \$292,900 in DCR grant applications, which, if awarded, would increase total project funding to \$2,046,900, more than is expected to be needed. He added, if the grants are not approved, ACSA has funds in reserves to address the shortfall in project funding.

Board Chair Martin clarified with Hopkins the mistake in the bid tabulation and that Burleigh Construction is actually the low bidder. Hopkins added that Bid Alternate 2 is to armor the opposite side of Graham Creek for erosion protection. Martin also clarified with Hopkins that Burleigh's Base Bid (\$1,925,872) and Bid Alternate 1 (\$79,805) is recommended to be awarded.

Board Vice Chair Perrow asked about the original construction estimate. After noting Hurt & Proffitt's \$1,913,700 estimate on the tabulation sheet, Hopkins said the original estimate was the bond amount, \$1,754,000. He added that the estimate on the tabulation sheet was H&P's re-estimate, requested by Hopkins due to the last year of inflation. Perrow noted that H&P's re-estimate was very close to Burleigh's low bid. He asked what the ACSA Board would have to do if the DCR grants are not awarded and appropriations from reserves are required. Hopkins replied that, if for any reason, additional project funding is needed, he must return to the ACSA Board to get an appropriation request approved. Perrow also was concerned about the tabulation sheet error; Hopkins said he has H&P's recommendation letter for the Burleigh Construction award in hand. Hopkins said he would correct the bid tabulation sheet in the meeting agenda packet for the meeting minutes.

Board member Wade asked about the time frame to hear from DCR on the grant applications. Hopkins said he would check and get him an answer.

Martin asked Hopkins to again confirm that, if the grants are not approved, ACSA has sufficient money in reserves to make up a shortfall without other problems. Hopkins did, and reminded Board members that the project is required by the State, after getting a one year extension from DCR on the project schedule due to the pandemic.

Board member Pugh asked about possibly borrowing more money because of the inflated construction costs. Hopkins said ACSA can go back to the VA Resources Authority for another loan, if needed. Pugh noted the State mandate to do the work, that ACSA has worked on developing the project for several years, and that the current scope of work has a much lower price tag compared to the original expectation of a \$5M project. Hopkins added that he was very concerned before bid opening that skyrocketing costs over the last year would leave a significant project funding shortfall, so he is very happy with the bid results.

Pugh asked if there is a price guarantee on materials, which Perrow said is a great question, since recent contracts included no price guarantees. Hopkins added that this is a bid contract award for a lump sum price, so the contract price is guaranteed, except for possible change orders for changes in the scope of work. County Attorney Lockaby agreed. The Board directed Hopkins to minimize changes to the scope of work and contract cost as much as possible.

By motion of Board Vice Chair Perrow and with the following vote, the ACSA Board voted to award the construction contract to Burleigh Construction for the Base Bid of \$1,925,872 and Bid Alternate 2 for \$79,805 and authorize the Executive Director to sign and administrate the contract:

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

There was no other Board member comment.

C. Madison Heights Softball Field Erosion Assistance

Executive Director Hopkins asked Assistant Director Hall to distribute to Board members several photos pertaining to this issue, since Hopkins could get them updated by CivicClerk into the Board meeting agenda packet.

Hopkins reported recently being asked to help address stream erosion threatening one of the Amherst County Dixie Youth Girls Softball Association fields. Williams Run flows past the east side of the field and has eroded its bank to within a few feet of the outfield fence (see attached photos), creating a safety issue and threatening the upcoming 2022 softball season. Hopkins and ACSA Crew Supervisor T. R. Saunders met ACDYGSA Board members, including County Building Official Nate Young, at the site to evaluate the problem and possible solutions, which resulted in a plan with which to proceed. ACDYGSA asked for expedited ACSA assistance, since the softball season begins in April. Hopkins told them ACSA cannot prosecute a public ACSA project to address a private issue like this. He added he would be willing to assist privately in a volunteer project to address the erosion and talk to the ACSA Board about possibly using ACSA equipment, operated by ACSA staff volunteers, for this purpose. He later suggested that ACDYGSA solicit from County staff a grant available for non-profit organizations, which could instead, or in addition, rent equipment; at this time, Hopkins is unaware of an application by ACDYGSA for such a grant.

Hopkins also reported an ACSA issue on the same property to be addressed with a public project. ACSA has a sanitary sewer crossing a tributary to Williams Run, near the erosion area (see attached photo). The concrete covering the sewer has worn away, leaving the top of the pipe exposed to pedestrian, bicycle, and other traffic which could break the pipe, especially since the pipe has been exposed to sunlight for probably a very long time, which would make the material brittle and weak. A break would result in raw sewage spilling into the tributary. ACSA must prevent this and is planning a project to correct the problem.

Hopkins requested ACSA Board permission to use ACSA equipment to address the erosion problem if alternate equipment cannot be funded and/or obtained, scheduling the work on a weekend, immediately after correcting the sewer issue with ACSA staff and equipment during the work week. ACSA equipment would only be operated by experienced ACSA staff; if Hopkins cannot get any staff to participate in this volunteer work, ACSA equipment would not be used. Hopkins would also get County Attorney assistance in drafting a document to be signed by Hopkins and the ACDYGSA Board Chair eliminating any ACSA or ACSA staff or ACSA equipment liability for damage or other adverse issues resulting from assisting with this project. This would be a public service that a local agency like ACSA should provide when possible to benefit County citizens and organizations, and would also afford ACSA staff an opportunity to train, on an actual similar project, for proposed 2022 temporary bank stabilization work at James River that has been discussed by Hopkins with the ACSA Board for the past couple of years.

Board Chair Martin said he has no problem with ACSA equipment being used for the stream erosion, but made it clear that all necessary permits must be obtained for the work.

Board Vice Chair Perrow noted that jurisdictional agency(s) are likely to require the sewer to be lowered to below the tributary stream bed. Hopkins pointed out that it is a gravity sewer at minimal slope and there is no way to lower it. He also said the sewer serves a large area and is one of ACSA's higher flow sewers, and if the problem is not fixed, the pipe will break and spill raw sewage into the creek. But he will discuss this with the appropriate jurisdictional agency(s).

Board member Pugh said it's a great idea to help ACDYGSA. By his motion and with the following vote, the ACSA Board voted to authorize Executive Director Hopkins to use ACSA equipment and volunteer staff for this, as proposed:

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

There was no other Board member comment.

D. Miscellaneous Matters

1. ACSA Staff Updates

Water Treatment Operator Apprentice Berkley Taylor, with ACSA since July 2021, attained his Class IV license in February.

Winton Tyree, son of long-time (37 years) ACSA employee Bennie Tyree, joined ACSA March 1 as a Meter Reader/Utility Service Worker, working out of the ACSA Water Office.

2. Lumos Technologies / Segra Damage Compensation

In August 2021, after several months of dealing with sanitary sewer backups a short distance north of the Water Office, ACSA field staff discovered that a utility pole guy cable had been drilled through the sewer, creating a blockage resulting in the backups. Investigation by Water Office staff revealed that the damage was done by Segra, formerly Lumos Technologies, apparently several years before. Executive Director Hopkins contacted Segra, participated in a Segra site visit, and submitted a request in October for \$5,842.00 in damages. In February, 2022, ACSA received a check from Segra for that amount.

E. ACSA-County Memorandum of Understanding

Executive Director Hopkins noted that this was tabled from the February ACSA Board meeting. He said he sent Board members an updated staff report last week describing the MOU and that the MOU, as drafted, is very inequitable and unfair to ACSA. He cited several examples in the report, noting that if the MOU had been in place two years ago, it would have cost ACSA over \$200,000 in revenues. He advised to the Board edits that would have made the MOU recommendable to the Board, but were turned down by County staff. He added that ACSA pays the County almost \$40,000 annually for Treasurer, Finance Dept., HR Dept., and IT Dept. services and should receive the same 50% discount on those services that County staff is saying ACSA should give the County for ACSA services. He added that the MOU calls for the County getting a 50% discount on water use billings, which would cost ACSA even much more revenue that ACSA cannot afford to lose. He asked that the Board request the Supervisors to direct County staff to make his recommended changes to the draft MOU.

Board Chair Martin proposed an alternative to changes to the MOU. He said this all started with the 2021 disposal of ACSA water plant sludge at the landfill, for which the County billed the entire amount instead of not billing ACSA for it in the interest of inter-agency cooperation, which had been the policy for many decades. This was brought to the Supervisors, who authorized a 50% discount for all ACSA sludge disposal at the landfill and directed that an MOU be executed between the County and ACSA to that effect. County staff mushroomed that direction into the drafted MOU. He noted that the discounts proposed for the County in the MOU would not be good business for ACSA. He suggested two ways to address this: (1) the Board suggest Hopkins' proposed changes to the MOU to the Supervisors to make the MOU more equitable or (2) the Board decide that ACSA will take care of its own sludge disposal going forward, including that in each annual budget.

Martin advised (2). Board Vice Chair Perrow agreed, noting it would incentivize ACSA to find alternatives. He noted that disposal is billed by weight, so the more dewatering before disposal, the smaller the bill. Martin asked if ACSA could dewater the sludge better. Hopkins replied that a way can be found, adding that he has considered putting drying beds in a field on ACSA reservoir property. He added that sludge dewatering was done at the water plant before its expansion a decade ago, which used the available dewatering space.

Martin polled the Board members, who all agreed that his alternative (2) was the best way to proceed. Perrow suggested "no action", but Martin wanted to provide Hopkins direction on how to proceed.

Martin asked County Administrator Rodgers to comment on this matter. Rodgers responded that this action is premature, as this is only being discussed between ACSA and County staff at this point; it is to be brought to the Supervisors in their meeting today to see if the Supervisors even want to proceed with an MOU being presented to the ACSA Board, adding that that has not yet been done. He noted it's good to hear the Board's position, that ACSA and County finances are very complex and intertwined, and that he agrees with the Board's proposed solution.

By the motion of Board Vice Chair Perrow and with the following vote, the ACSA Board voted to dispense with the proposed MOU and direct Executive Director Hopkins to annually budget for the disposal of all ACSA sludge:

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

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 Wade had nothing to discuss.

Board member Woods had nothing to discuss.

Board Vice Chair Perrow had nothing to discuss.

Board Chair Martin noted that Executive Director Hopkins sent Board members his 2021 performance evaluation form. He asked that all Board members complete that before the April meeting and that Hopkins include in the April Board meeting agenda a closed session for Board members to discuss it. At a later date, he and 2021 Board Chair Pugh will meet with Hopkins to review it.

Board member Pugh had nothing to discuss.

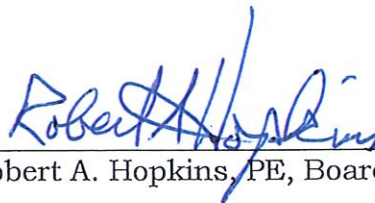
X. Adjournment

By motion of Board member Wade and with the following vote, the Board adjourned the meeting at 2:30 p.m.

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



Tom Martin, ACSA Board Chair



Robert A. Hopkins, PE, Board Secretary



February 25, 2022

Mr. Robert Hopkins, PE
Executive Director
Amherst County Service Authority
113 Phelps Road
Madison Heights, VA 24572
Sent via email to rhopkins@acsava.com

Re: Emergency Spillway Improvements for Dan E. French Reservoir at Graham Creek
Bid Recommendation
H&P Project #: 20200415

Dear Mr. Hopkins:

Hurt and Proffitt prepared bid documents for the Emergency Spillway Improvements for Dan E. French Reservoir at Graham Creek project and the project bid documents were advertised on January 23, 2022. A non-mandatory pre-bid meeting was held on February 3, 2022 and attended by four contractors. A bid opening was held at the Service Authority office on February 24, 2022 and two bids were received, opened, and read aloud. A bid tabulation is attached and summarized below:

<u>Contractor</u>	<u>Base Bid</u>	<u>Add Bid #1</u>	<u>Add Bid #2</u>	<u>Responsive</u>
Engineer Estimate	\$1,913,700	\$150,700	\$56,100	
Anderson Const. dba Virginia Siteworks	\$2,496,600	\$594,400	\$31,450	Yes
Burleigh Construction Company	\$1,925,872	\$502,700	\$79,805	Yes

We have reviewed bids, the lowest bidder information, and recommend that Amherst County Service Authority accept the Burleigh Construction base bid of \$1,925,872, not accept add bid item #1 (water line relocation) of \$502,700, and add bid item #2 (riprap bank protection) of \$79,805 for a total contract award of \$2,005,677. If you concur with this recommendation, we will prepare the Notice of Award and contract documents for signature. If you have any questions, please do not hesitate to contact me.

Sincerely,
HURT & PROFFITT, INC.

Mike Wilson, PE
Director of Municipal/Government Engineering

Encl.

Hurt & Proffitt, Inc.
 2524 Langhorne Road
 Lynchburg, Virginia 24501

Project Name: Emergency Spillway Improvements for
 Dan E French Reservoir at Graham Creek
Bid Opening Date: 2-24-22 2:00:00 PM
Location: Amherst County Service Authority Office
Bids Opened/Read by: Mike Wilson, PE

Bidder/Plan Holder	Bid Bond 5%	Acknowledged Addendum			Signed Bid	Base Bid Amount	Add Bid Item #1	Add Bid Item #2
		#1	#2	#3				
Engineer Estimate						\$1,913,700.00	\$150,700.00	\$56,100.00
1 Anderson Construction, Inc.	X	X	X	X	X	\$2,496,600.00	\$594,400.00	\$31,450.00
2 Burleigh Construction Co., Inc.	X	X	X	X	X	\$1,925,872.00	\$502,700.00	\$79,805.00
3								
4								
5								
6								
7								
8								
9								
10								

Correction to the ACSA Executive Director's March 1, 2022, Report

March 1, 2022

ACSA Board of Directors:

The EDA would like to address an incorrect statement in the March 1, 2022 ACSA Executive Director's report regarding the Ned Brown Road Water Main Extension. Regarding funding, Director Hopkins states, "EDA refused to provide funding assistance." The EDA respectfully requests the ACSA Executive Director's report state, "The Ned Brown project did not qualify for the EDA Small Business Assistance Program funding."

The EDA Executive Director explained to Director Hopkins that the Ned Brown project did not qualify for funding. The Small Business Assistance Program was designed to assist new or expanding locally owned small businesses located along the US Business 29 commercial corridor or areas in Madison Heights that are in need of redevelopment. The focus of the grant is designed specifically to encourage the redevelopment of the commercial property along the corridor. The EDA does not have the funding to assist every new single family home or multi-family unit being built in Amherst County. However, the EDA will consider housing development or redevelopment of older residential neighborhoods (pre-1970) in Old Town Madison Heights and to Lakeview Dr. including infill area or redevelopment. The Ned Brown project does not qualify in either category.

Chad Eby

Chairman, Economic Development Authority of Amherst County