



**AMHERST COUNTY SERVICE AUTHORITY BOARD  
MEETING MINUTES**

**AGENDA**

May 3, 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 April 5, 2022 Minutes
- V. Monthly Financial Report**
  - A. 2022 Financial Report for March 2022
- VI. Old Business**
  - A. Executive Director's Report
  - B. Assistant Director's Report
- VII. New Business**
  - A. Miscellaneous Matters
- VIII. Citizen Comment**
- IX. Closed Session**
  - A. Closed session to discuss the 2021 performance of the ACSA Executive Director.
- X. Matters from the Members of the Service Authority Board**
- XI. Adjournment**

## **MINUTES**

At a regular meeting of the Amherst County Service Authority Board, held at the Amherst County Administration Building on Tuesday, the 3rd day of May, 2022, starting at 1:31 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

**ABSENT:** Drew Wade, Board Member

**STAFF:** Robert A. Hopkins, PE, Executive Director/Board Secretary  
Richard Hall, Assistant Director  
Mark Popovich, 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 Tom Martin opened the floor for comment by meeting attendees.

Citizen George Stanley stepped forward to comment he is requesting answers to a previous inquiry addressed to ACSA staff and Board. Mr. Stanley previously reported alleged numerous private water service connections fed from one water service meter at 2079 S. Amherst Highway. Mr. Stanley is alleging these connections represent "Misjustice." Executive Director Hopkins vaguely recalled conversations with Mr. Stanley; he recollects waiting on photographs to be presented by Mr. Stanley to further pursue the matter. Following the original report by Mr. Stanley, Mr. Hopkins didn't notice anything definitive when observing from the public road when driving by the property(s). All alleged piping is located below grade and not visible.

Vice chair Turner Perrow requested clarification from Mr. Hopkins, asking if there is any evidence of land disturbance or excavation that may indicate additional connections to public water. Mr. Hopkins indicated there was no visible evidence.

Board member Wesley Woods indicated a past conversation with Mr. Stanley was held concerning this matter. Following this conversation, he made a recommendation to Mr. Hopkins for evaluation of water usage at this address. This evaluation may indicate numerous additional connections to the private side of the water service. Mr. Hopkins indicated there was very little change in water usage, when the account was evaluated.

Board chair Tom Martin requested further clarification to establish all additional connections are on the private side of the water meter. This being the case, all water consumption is metered and billed- what code is being violated? Mr. Hopkins explained, alleged connection and availability fees were not collected for these additional connections.

Mr. Stanley alleged properties served by one water meter have different property owners. He recommended turning off the water service to this meter, to verify all

connections. It was explained that this action could only be pursued if the account holder voluntarily allows water to be turned off.

Mr. Perrow, indicated that the alleged wrongful connections would be verified and thanked Mr. Stanley for bringing this to the Board's attention. Board chair Tom Martin indicated this matter will be looked into further and requested that Executive Director Hopkins confirm and report at the next Board Meeting, the potential code violation. Mr. Martin also requested photographs be presented by Mr. Stanley.

Board chair Martin asked if there were other citizens wishing to speak.

Citizen Robert Sales stepped forward to comment. Mr. Sales first described an easement on his property that contains a sewer line (later descriptions also revealed a gated drive off of Watts St. for ACSA access). Mr. Sales previously requested in discussions with Executive Director Hopkins, for ACSA to add a culvert pipe in a drainage ditch at the end of the drive in the easement. According to Mr. Sales, a culvert will "make this ditch a little more crossable," and allow access for property maintenance. Mr. Sales indicated this ditch has been a problem since the drive was installed. In their discussions, Mr. Hopkins advised this request will have to be brought to the attention of the Board; costs for design and installation to fulfill this request will be costly. Mr. Sales indicated the on-site conversation was ill-mannered and would lead to no agreement. He asked Mr. Hopkins to leave his property.

Mr. Sales continued to explain, following the on-site conversation, a gate in this easement, that has been historically open, allowing access, was found locked. Needing access to his property, at his direction, his daughter lifted the gate off of the pins, setting the gate aside with no damage. At a later date, again, the gate was found closed/locked.

Mr. Sales once more, contacted Executive Director Hopkins to inquire about the status of the gate. Mr. Hopkins informed him that the gate was vandalized. Mr. Sales disagreed the gate was vandalized and self-confessed to lifting the gate off of the pins to access his property. Mr. Sales indicated he was informed by Mr. Hopkins that he was trespassing and could be arrested.

Following this conversation, Mr. Sales received a water disconnect notice and a fee of \$55.00 from ACSA. It was explained that this notice and fee was for tampering (for lifting the gate off of the pins). Following a request by Mr. Hopkins, in exchange for the fee, a copy of the recorded easement was provided to ACSA. According to Mr. Sales, the fee was never absolved.

Mr. Martin requested clarification of the scenarios and asked Amherst County Attorney Mark Popovich if ACSA should lock a gate in an easement, preventing access by the owner of the property. Mr. Popovich advised ACSA should not.

Mr. Perrow stated he understands from email correspondences that Mr. Hopkins has a potential agreeable resolution to the issue that has been reviewed by the County Attorney. Mr. Hopkins presented an option to transfer ownership of the access drive to Mr. Sales, vacating the existing easement, and executing a new agreement. Mr. Sales will become sole ownership and be responsible to maintain the drive. The gate will be removed at no cost, and ACSA will be allowed needed access at all times. Mr. Sales did not approve of this idea and presented concerns of upkeep standards/interpretations of the drive.

Mr. Hopkins stated his objective is to protect the assets of the Service Authority. Board member Perrow understands concerns of both Mr. Sales and Mr. Hopkins to be reasonable; the ACSA Board should make this subject a priority to find a clean way to resolve both concerns.

Mr. Martin stated ACSA will not lock the gate, asked the County Attorney, Mike Popovich, if the \$55.00 fee could be done away with, to which the County Attorney replied "yes."

By motion of Board Chair Martin and with the following vote, the ACSA Board voted to approve the removal of the disconnection fee assigned to Mr. Sales in relation to tampering offense:

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

Board Chair Martin explained the gate will be maintained unlocked and if, for some reason, the gate is required to be locked, a key will be provided to Mr. Sales from ACSA. Board member Wesley Woods interjected, stating Mr. Sales could provide a locked gate to his property, as long as a key is provided to ACSA. Board member David Pugh commented Mr. Sales should have access to all of his property. Mr. Martin apologized to Mr. Sales for any inconvenience and stated "we're going to find a way to resolve the issue."

Board Chair Tom Martin asked if there were other citizens wishing to speak.

Mr. Hopkins asked if the Board wishes for him to pursue requesting the County Attorney to draft a new easement to provide to Mr. Sales, to which Mr. Martin responded he would like to discuss later. Board member Woods states he would like more time to review the existing easement since it appears sufficient.

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

### **III. Approval of Agenda**

- A. Board chair Martin motioned to amend the agenda, proposing to relocate the order, placing the Closed Session before the Adjournment.

By motion of Mr. Martin and with the following vote, the ACSA Board voted to amend the agenda for the April 5, 2022 ACSA Board meeting, placing the Closed Session before the Adjournment:

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

### **IV. Approval of Minutes**

- A. ACSA Board Meeting – April 5, 2022

By motion of Board member Perrow and with the following vote, the ACSA Board voted to approve the draft minutes for the April 5, 2022 ACSA Board meeting:

|      |                                                |
|------|------------------------------------------------|
| AYE: | Mr. Martin, Mr. Perrow, Mr. Pugh and Mr. Woods |
| NAY: | None                                           |

ABSENT: Mr. Wade

**V. Monthly Financial Report:**

**A. March 2022 Financial Report**

Executive Director Hopkins compared ACSA finances for March 2022 to the prior 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 + \$ 38,143.08 (+ 4.83%) vs. 2021

Total revenues - \$ 18,636.50 (- 1.92%) vs. 2021 \*

\* 2021 revenues include a \$94,886.25 VDOT reimbursement to ACSA for relocation of water and sanitary sewer lines to facilitate the Woodys Lake Rd Improvements project. This is not ACSA operational revenue and was not comparably repeated in 2022; delete it from 2021 revenues, and the total revenues comparison figures improve to + \$76,249.75 and + 8.72%.

**b. Connections:**

Thru March, 13 new water service connection (3 in March):

29.6% of 2021 total (44, an increase of 9 from 2020)

33.3% of 5 year annual average (37.0, an increase of 8.8 from 2020)

20.0% of pre-recession annual average (65)

Tap fees: + \$13,955.00(+ 31.0%) vs. 2021

**2. Wastewater**

**a. Revenues:**

Sales (top line & boxed are of Section I.B) - \$14,878.47 (- 6.33%) vs. 2021

Total revenues - \$ 934.07 (- 0.38%) vs. 2021

**b. Connections:**

Thru February, 3 new service connection (1 in March):

12.5% of 2020 total (16)

18.5% of 5 year annual average (10.8)

13.3% of pre-recession annual average (15)

Tap fees: + \$ 6,000.00 (+ 66.7%) vs. 2021

**3. Water and Wastewater**

a. Sales: + \$23,264.11 (+ 2.27%) vs. 2021

b. Total Revenues: - \$10,480.57 (- 0.86%) vs. 2021

**4. Summary:**

March water sales decreased from February, but are still + 4.83% for the year compared to the same period of 2021. Regarding revenues, the asterisked note on the

previous page shows how the 2021 \$94,886.25 VDOT reimbursement for Woodys Lake Rd water and sewer replacements skews revenues comparisons with 2022; deleting it for the reasons cited provides a true picture of ACSA Water Dept. revenues to date in 2022, which includes an 8.72% increase compared to 2021. It is proposed to revise the financial report to create a Section D for non-operational revenues like the VDOT reimbursements, scrap metal sales, etc.; this will address skewing of the ACSA financial picture for Section A Water and Section B Wastewater, though it will not eliminate the skewing of the Total Collected comparison.

ACSA had 3 new water service connections in March 2022. Resulting tap fees increased 2022 fees to date to almost a third (31.0%) more than for the same period of 2021.

March wastewater sales increased \$32,205.05 from February 2022, after a \$22,828.79 drop in February compared to January. Sales year-to-date thru March compared to the same period of 2021 improved from -\$25,936.05 (-16.32%) in last month's report to -\$14,878.47 (-6.33%) this month. Total wastewater revenues thru March were down \$934.07 (0.38%) compared to year-to-date 2021, but improved from -\$14,657.79 (-8.81%) reported last month.

There was 1 new wastewater service connection in February.

Combined year-to-date water and wastewater sales thru March were 2.27% better than the same period in 2021. Total ACSA revenues thru March were down \$33,456.94 (0.86%) compared to thru March 2021; editing the figures to delete the VDOT reimbursement cited above eliminates these deficits in favor of positive figures of \$61,429.31 and 8.22%.

ACSA received \$8,327.19 in March from the State Debt Setoff Program to defray unpaid and uncollectable utility account balances, bringing the total collected so far for the year to \$8,498.68.

The Total Cash Received, Monthly, and Total Cash Received, Cumulative, charts will resume upon adoption of the amended budget under preparation.

A comparison of the number of active service connections 5 years ago (March 2017) and now results in the following table:

|                                      | <u>2017</u> | <u>2022</u> | <u>Change</u> |
|--------------------------------------|-------------|-------------|---------------|
| No. of business water connections    | 426         | 421         | -5            |
| No. of residential water connections | 5,599       | 5,992       | +393          |
| No. of total water connections       | 6,025       | 6,413       | +388 **       |
| No. of business sewer connections    | 202         | 201         | -1            |
| No. of residential sewer connections | 824         | 905         | +81           |
| No. of total sewer connections       | 1,026       | 1,106       | +80 ***       |

\*\* An average annual increase of 77.6 connections.

\*\*\* An average annual increase of 16.0 connections.

At the April ACSA Board meeting, a Board member questioned the drop in wastewater sales from February to March. Assistant Director Hall explained that the ACSA financial report shows the number of occupied commercial and residential wastewater accounts each month. Commercial accounts are larger producers of wastewater and generate higher revenues vs residential; however, since the beginning of the pandemic in 2019, with the first school closure in March, 2019, then further public shut-

downs/restrictions, the commercial side has struggled. Adding to that, the Central Virginia Training Center transferred its last resident to permanently close the facility in April of 2020. It wasn't until the spring of the following year that they discovered and addressed a continuous flow of creek water entering CVTC's wastewater meter #1 and they are the only metered wastewater account in ACSA's system that would pay for stormwater inflow and infiltration. On the other hand, residential wastewater sales stayed healthy with a slight incline in sales, some of which seems to correlate additional occupied accounts being added gradually.

Executive Director Hopkins researched monthly fluctuations in wastewater sales since mid-2021, resulting in the following chart (dollar figures are approximate):

|                   |            |                    |            |
|-------------------|------------|--------------------|------------|
| 5/2021 to 6/2021  | - \$ 8,000 | 10/2021 to 11/2021 | + \$20,000 |
| 6/2021 to 7/2021  | + \$ 8,000 | 11/2021 to 12/2021 | - \$34,000 |
| 7/2021 to 8/2021  | - \$ 7,000 | 12/2021 to 1/2022  | + \$20,000 |
| 8/2021 to 9/2021  | + \$21,000 | 1/2022 to 2/2022   | - \$22,000 |
| 9/2021 to 10/2021 | - \$21,000 | 2/2022 to 3/2022   | + \$32,000 |

The cyclic nature (one month positive, the next negative, the next positive) throughout this chart is strong evidence that sales revenue fluctuations are at least very strongly influenced by the areas of bimonthly residential billing. All of the positive numbers above would be billings from the same areas; similar for the negative numbers.

Decreases in wastewater sales can also reasonably be attributed to pandemic and inflation effects. The ACSA financial report is derived from revenue from paid bills; households affected financially by the pandemic and inflation may not pay bills on time or in full, which would be reflected in the financial report. Continuing pandemic and inflation impacts are demonstrated by a 4<sup>th</sup> phase of Municipal Utility Assistance Program grant monies for customer utility account arrearages that was recently announced, as well as a State program to be launched in August titled Low Income Household Water Assistance Program, also to help with customer utility account arrearages.

Another Board member noted that business customers are billed monthly, which would seem to mitigate against big deficits in the financial report. But the February report that was being talked about showed only 425 business water customers vs. 5,986 residential, and 203 business sewer accounts, none of them big water consumers, vs. 905 residential. It is problematic to derive a correlation between business and residential when there is such a disparity in magnitudes.

Another Board member said that water sales increased in the February report, but wastewater sales decreased, which he said made no sense because the sold water has to go somewhere. But of the 6,411 water accounts, only 1,108 also had wastewater accounts for connections to ACSA sanitary sewers; the other 5,303 water accounts discharged to onsite septic systems. It is also problematic to derive a correlation between water sales and wastewater sales when there is such a disparity in magnitudes. Another Board member noted that at the Board meeting.

Another Board member questioned the \$33,000 (actually \$33,456.94, -3.97%) deficit in year-to-date Total Revenues in the February report compared to the same period in 2021. As noted in the staff report that accompanied that financial report, the deficit is due to the 2021 \$94,886.25 VDOT reimbursement for the Woodys Lake Rd water and sewer relocations. That was ACSA revenue, but was not operational revenue, and it skews the financial picture because there has been no similar reimbursement in 2022. To get a true picture of how ACSA is doing financially compared to 2021, that

reimbursement must be deleted from the 2021 figures; doing that, the figures at the start of this paragraph change to + \$69,947.10, +12.15%, as noted in the staff report, which demonstrate a healthy financial picture for ACSA through February.

That demonstration continues with the March financial report:

- Water Dept. year-to-date total revenues improved from a deficit of 3.72% in February to about half that figure, - 1.97%, without deletion of the VDOT reimbursement;
- Wastewater Dept. year-to-date total revenues improved from a deficit of 8.81% in February to 0.38%;
- Total ACSA year-to-date revenues improved from a deficit of -3.97% in February to -0.86% without deletion of the VDOT reimbursement; delete the reimbursement and that -0.86% improves to + 8.72%.

Board Vice Chair Perrow asked if wastewater revenue sales are continuing to decline. Assistant Director Hall explained that at the end of 2021, data indicates a slight recovery. Mr. Perrow interprets from the data that economic impacts to commercial businesses has been a challenge; recovery isn't as rapid as hoped. Board Chair Martin found interest in the stream entering CVTC's metered wastewater. Mr. Hall explained that CVTC requested wastewater meters be installed to contest wastewater usage calculations based on water usage. CVTC's steam plant consumed large volumes of water that never discharged as wastewater. There are two recently replaced wastewater meters that are still in service. Previous efforts to observe conditions of wastewater infrastructure by way of a video camera inserted in the sewer lines was unsuccessful. Inflow and infiltration issues were not revealed until after CVTC buildings became fully unoccupied. Mr. Perrow stated the increase in residential wastewater sales is outpacing the recovery of commercial wastewater sales, but not fast enough to overcome the total/overall decline. Mr. Martin concluded residential growth is a good thing.

Executive Director Hopkins further explained the cyclic nature of bimonthly residential billings heavily influence revenue fluctuations. Also, continuing pandemic and inflation has an impact on citizen's ability to pay their bills. Board member Pugh mentioned low flow fixtures may be an impact as well.

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 in 2022. H&P has engaged a consultant and is scheduling the survey for the required mussel study for the permit.
- 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 has Hurt & Proffitt's grant administrator looking into General Assembly HB 7001, funding for sewer repairs, replacements, and upgrades, for this and other projects.
  - US Rep. Ben Cline's office told Hopkins in March that congressional earmark funding is unavailable, but they will look for other funding options.
  - *VA Senator Warner and staff visited the site April 13 to discuss federal Bipartisan Infrastructure Law funding and expressed his concern for the situation and need for the project to be funded and completed (see attached New Era Progress article). Senator Warner commented that the work needs to happen and needs to be funded. Executive Director Hopkins is cautiously optimistic for funding assistance.*
  - *After the site visit, Hopkins responded to a Warner staff request for more information. Mir. Hopkins has received and responded to another questionnaire regarding Congressional Discretionary Spending.*
2. Water and Sewer Rehabilitation/Extension/Replacement & Other Infrastructure Projects
- Woodvue Dr. Water Main Replacement
  - \* Hopkins is working on easement acquisitions for a 2022 project by ACSA staff.
  - Joint ACSA-County sanitary sewer extension program, American Legion Hall area
  - \* Hopkins is working on easement acquisitions for a 2022 construction project by a contractor.
  - Sewage Lift/Pump Station Upgrades
  - \* ACSA received quotes from a vendor for 4 new sewage pumps, 2 each for Lighthouse and Abbitts pump stations and repair of a raw water pump at the Lanum water plant pump house, and asked for a quote for repair of the emergency wastewater pump. Hopkins expects to work the costs into the amended budget being prepared, with no appropriation from reserves, but will bring any required appropriation request to a future Board meeting for Board action.
  - \* ACSA staff is investigating the replacement of operational controls at several ACSA pump stations in 2022 or 2023, depending on cost.
  - \* A program of an annual overhaul of one pump station will be inaugurated in 2023, so every pump station will be updated every decade.
  - VC Mobile Home Park:
  - \* Hopkins submitted to the State in December the first reimbursement request from the \$250,000 State funding, for \$11,710.00 for design and construction drawings. ACSA has yet to receive the Reimbursement. Hopkins responded in March to a request for more documentation and expects the reimbursement payment soon. Hopkins will submit the second reimbursement request, for engineering services, VDOT permit fee, and materials purchase, in April.
  - \* VDOT issued a permit for the entire water main extension, with a 1 year timetable and available 6 month extension. A utility ticket was called in. The work has been discussed with the ACSA crew chiefs and is scheduled to begin in April. Assistant Director Hall will conduct a safety session with the crew regarding saw cutting the concrete. Notices will be sent to Colony Rd residents.

- \* *Water main installation began in late April. Mr. Hopkins stated the installation is out of the road proper and ready to begin installation down the sidewalk.*
- \* ACSA is working with CVTC staff and VDOT to finalize the survey of existing water mains to be replaced, starting in 2022. VDOT is identifying campus roads that are/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.
- \* Updated preliminary project schedule:

|                       |               |
|-----------------------|---------------|
| Notice to Proceed     | April 4, 2022 |
| Completion (8 months) | December 2022 |
- \* The construction contract award recommended by Hurt & Proffitt and Hopkins was approved by the ACSA Board at its 3/1 meeting. Hopkins will sign it after the contractor.
- \* ACSA will lower the reservoir to 2' below normal operational level when informed the contractor is ready and Harris Creek can supply the water plant, to prevent flows thru the spillway during construction. A weather watch will be continued by the contractor, H&P, and ACSA and the water level further lowered when a storm is forecast that can fill the lake and cause spillway flows.
- \* *Construction began in late April.*
- \* Hopkins expects to hear about the two DCR grant applications, one for \$42,900 for construction administration, the other for up to \$250,000 for construction, about mid-2022.
- \* Hopkins submitted requested documentation to DCR for the \$2,250 grant reimbursement for the revised Emergency Action Plan and the 10/26/2021 tabletop exercise, and is waiting for a reply.
- Berkshire Place Sanitary Sewer Extension:
- \* Hopkins talked to HFH about an alternative to serve the 3 HFH lots with sanitary sewer and will contact a neighboring property owner about acquiring the necessary easement.
- \* *Hopkins is working with Debbie Habel, HFH, on a schedule for a sewer extension to serve the 3 new homes HFH wants to build at the end of Berkshire Place.*
- West Vail Court Sanitary Sewer Extension:
- \* Hopkins is working on acquiring the necessary easement from the adjacent property

owner (the proposed Violets View development). A meeting was scheduled for thesecond week in April, *but the meeting has been repeatedly cancelled by the property owner's engineer.*

- \* Bidding/construction will proceed after approval by the County and completion of the easement acquisition from the adjacent property owner.
- Amherst County Gateway (River Road) Sanitary Sewer Extension
- \* Hurt & Proffitt is continuing with field survey and geotechnical (rock search) work.
- \* Hopkins met the property owner on the preferred location (low point) on the north side of River Rd for the pump station. The owner may be willing to sell a portion of the land and is allowing H&P to bore for rock when the weather improves and H&P's can schedule the work.
- Ned Brown Road Water Main Extension
- \* *After several developer delays, ACSA expects to begin in May a project for a 750' water main extension in an ACSA easement outside the road right-of-way, upon ACSA, VDOT, and County approval of completed site plans.*
- Monacan Indian Nation Projects Water Main and Sanitary Sewer Extensions
- \* Public water and sewer extensions to serve the two MIN projects are awaiting site plans approval by ACSA, VDOT, and the County. ACSA will install the water main and bid the sewer for contractor installation; all work paid for by MIN.
- Seminole Park Improvements – Water Service Installation
- \* *The new water service for the dog park was installed by ACSA in mid-April.*
- 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).
- \* Hopkins sent a very preliminary, pre-design cost estimate for the Morcom extension project this cost estimate to the County Supervisors 2/13.
- Seminole Plaza Shopping Center – 2022 Sanitary Sewer Overflow Complaints
- \* The hoped-for DEQ funding of a sewer system replacement project to replace at least the did not work out. Drew Miller, DEQ, called Hopkins in March to inform him.
- \* Another overflow was reported by the resident during a storm in late March. Hopkins was told, called VDH, and was told litigation may be the next step to getting the shopping center owners to fix the sewer system.
- Amherst County Dixie Youth Girls Softball Association Stream Bank Erosion
- \* Hopkins and County Building Official Young (who is on the ADCYGSA Board) are trying to develop an ACDYGSA project to arrest erosion of the stream bank just outside the outfield fence before the 2022 softball season, though it may be delayed until after. The ACSA Board approved use of ACSA equipment and volunteer labor at its March 2022 meeting.
- \* Complying with ACSA Board direction, Hopkins confirmed with Hurt & Proffitt's environmental permitting specialist that a permit is not required for what is intended to be done.

- \* Hopkins is working with County Attorney Lockaby on a Good Samaritan agreement to be signed by ACSA and ACDYGSA to exempt ACSA from liability for participating in the ACDYGSA project.
3. EDA Business Friendliness Initiative
- Priority 1a Complete evaluation of water and sewer availability fees
  - \* Hopkins will begin the 2022 rates and fees benchmarking study in April.
  - Priority 2 Major upgrade to communications efforts
  - \* See the Assistant Director's Report, Section VI.B, about the launch of the new ACSA web site.
  - Priority 3 Policy regarding ACSA extensions of public utility lines
  - \* County Code edit tabled until later in 2022.
  - Priority 4 Strategic plan for development and services initiatives
  - \* To be developed with ACSA Board assistance later in 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
- Low Income Household Water Assistance Program
  - \* DSS is still developing the program administration; the planned April 2022 start of LIHWAP is postponed until August, if approved by the Federal funding partners.
  - \* Hopkins commented on a draft Vendor Agreement utilities will execute with the Dept. of Social Services. A final draft will be provided for County Attorney review and comment in May, with a final document to be brought to the ACSA Board at the June meeting for voting on a resolution of authorization for Hopkins to sign. *Hopkins will forward the document to the County Attorney.*
  - \* DSS will provide a public notice in May about the project, criteria, and procedure, for customer notifications and posting on the new ACSA web site.
  - \* Hopkins serves on a committee to help set up LIHWAP.
5. Regulatory Updates
- Perfluoralkyl and Polyfluoralkyl Substances (PFAs)
  - \* Hopkins confirmed with an AquaLaw environmental attorney at the 3/3 meeting of VA Assn of Municipal Wastewater Agencies that there is a possibility that proactive test results must be submitted to the appropriate jurisdictional agency(s), even if the testing is not required by the agency(s). The attorney will check and provide the results to Hopkins.
6. Town Wastewater Services in Poplar Grove
- In March, the ACSA Board authorized Town reading of ACSA water meters in Poplar

Grove for sewer billing. ACSA's Field Services Supervisor noted ACSA needs a list of addresses for notifications to water customers about separate Town sewer billings and (2) the Town will have no way to address overdue wastewater bills; ACSA cuts off water service for overdue bills, but will not cut off water customer service for unpaid Town wastewater bills. He suggested ACSA add the wastewater services to ACSA water customer accounts, ACSA bill for water and wastewater services, then send the sewer money to the Town, and the Town pay for ACSA sewer billing administration. Hopkins and McGuffin agreed this would be better, but would require a formal ACSA-Town agreement. Hopkins asked County Attorney Lockaby to research such an agreement for later.

Board Chair Martin asked to be refreshed on the West Vail Court Sanitary Sewer Extension project. Mr. Martin asked for clarification regarding which engineer continues to cancel a meeting. Mr. Hopkins explained an easement is needed to route the sewer line through the adjacent property north of West Vail. This adjacent property is being developed. The engineer for this development continues to postpone meetings.

Board member Woods commented the scope of the project has changed. Mr. Hopkins explained that changing the scope to connect to an existing sewer line on the adjacent property being developed can reduce the West Vail Sewer Line Extension project by one-half.

Board Assistant Chair Perrow commended Mr. Hopkins for the manner in which the meeting with Senator Warner was conducted, especially the site visit. The tour and visit went exceptionally well with participants from the Town of Amherst, Amherst County Administration, and Board members.

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 staff 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 Accounting Clerks and the Office Manager completed cyber training in the month of April. Mr. Hall to report next month concerning training complete by the staff at the water plant that use computers.*
- ACSA's Assistant Director will serve on an upcoming VAMWA (Virginia Association of Municipal Waste Water Agencies) *Cyber Committee (Allison Deines, Strategy and Policy Director, RiverRenew, sent an email on April 20<sup>th</sup> indicating the first committee meeting schedule is forthcoming).*

##### 2. New ACSA Website

- *Google Analytics reports that 443 different users have visited ACSA's site since it launched. 21.78% of the 443 have visited the "pay my bill" link; 57.7% are using Mobile Devices; 41.3% are using desktops; 1% are using tablets.*

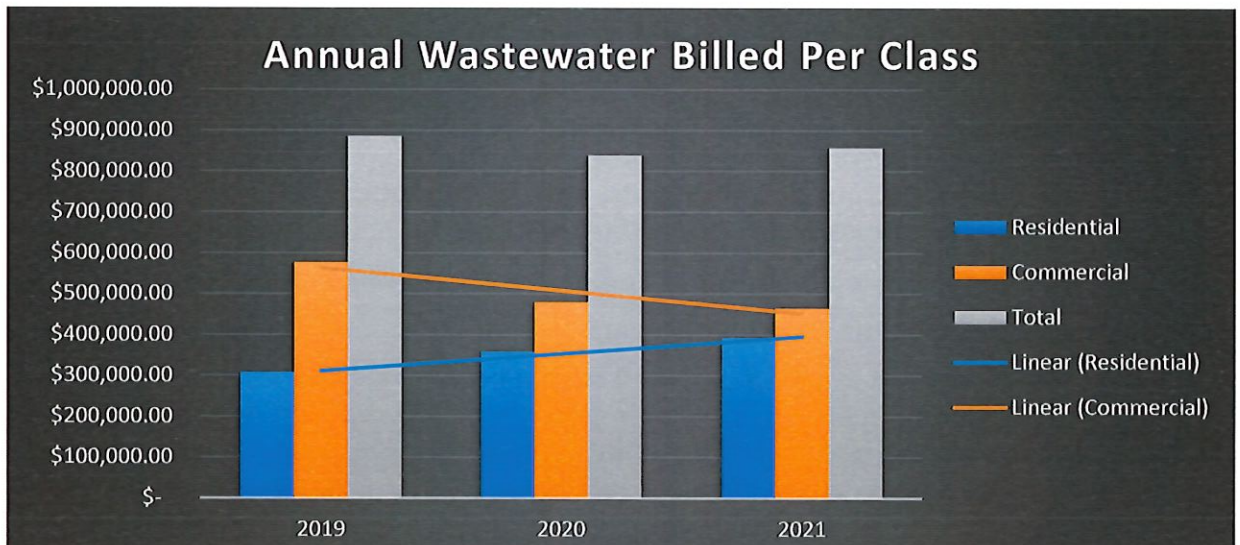
##### 3. Inventory management assignment

- *A 1<sup>st</sup> Quarter Inventory of all materials was complete April 6, 2022. Discrepancies were minor and were found to be in truck stock.*

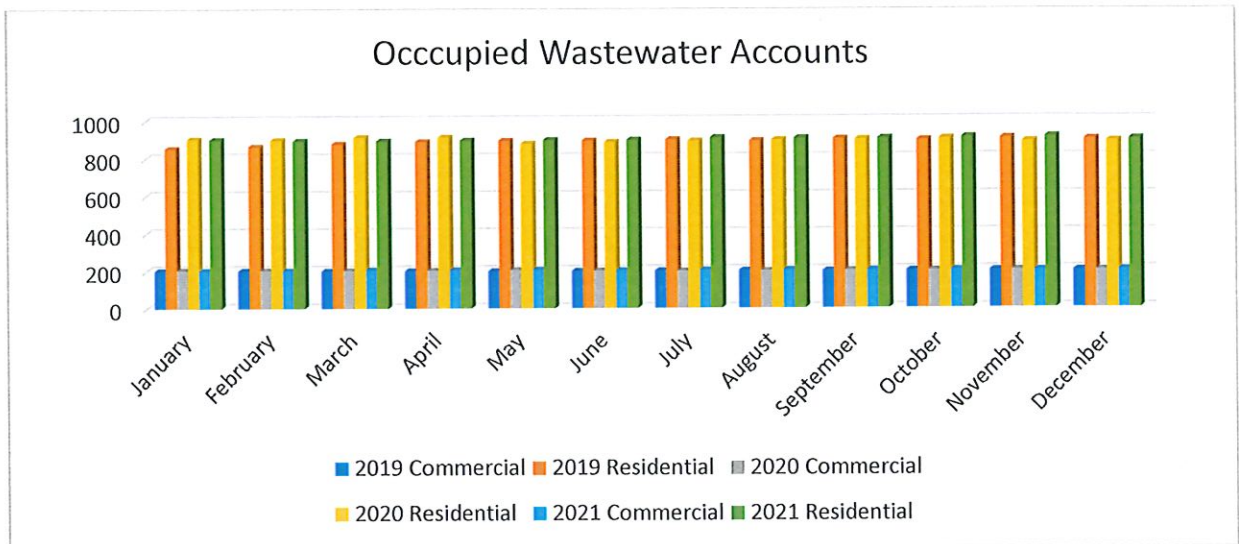
- *ACSA is in the process of re-arranging stored PVC water and sewer piping, rotating stock and covering the inventory. (a follow-up to a concern by ACSA Board Vice Chair Turner Perro*
- 4. CVTC campus water line tie-ins and replacements.
  - Instructions from ACSA Executive Director:
    - Mark direct 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.
  - *Financial Reporting of Sewer Collections*

*At the April, 2022 Board Meeting, ACSA Board Vice Chair Perrow asked about trends of sewer sales that appear to be declining. Assistant Director Hall responded that he will follow up in the May Board Meeting.*

*Please refer to the following informative tables, evaluating years 2019 thru 2021:*



- *The Annual Wastewater Billed Per Class table is created from reports generated from ACSA's financial system and only reflects billings (does not include collected misc. deposits and fees)*



#### Conclusion:

ACSA wastewater accounts include a regional jail, department/anchor store, restaurants, schools, a vacant state facility, and collective residential accounts. The COVID-19 pandemic began to set in the first quarter of 2020, with the Governor's first school closure in March. Mandatory COVID restrictions gradually increased through 2021, causing a decline in commercial wastewater sales as mandatory social distancing, limited occupants, further school closures, etc., were mandated. Adding to that, the CVTC transferred the last resident to permanently close the facility in April of 2020. It wasn't until the spring of the following year that they (CVTC) discovered and addressed a continuous flow of creek water entering CVTC's wastewater meter number 1. (CVTC is the only metered wastewater account in ACSA's system that would pay for I&I). However, during this time, the number of ACSA residential occupied wastewater accounts slightly increased. The lowest number of residential wastewater accounts occurred in January of 2019 (853) while the highest number (912) occurred in April & May of 2020 and November of 2021. 2022 cumulative totals may indicate a recovery is on the mend.

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

## VII. New Business

### A. Miscellaneous Matters

#### 1. Knights Inn

2. A sewage overflow at Knights Inn in Madison Heights was reported in early April. ACSA investigated and found no public sanitary sewer in the overflow area and called the VA Dept. of Health. VDH reported later that Knights Inn had an onsite lagoon wastewater treatment that was replaced long ago by a pump station to an ACSA sanitary sewer extension that was at least partially funded by Knights Inn. The pump station failed quite awhile ago due to lack of maintenance, resulting in a wetwell overflow and "ocean" of raw sewage. VDH contacted the VA Dept. of Environmental Quality and ACSA called County staff. The Knights Inn owner is spending a lot of money to repair the pump station and remediate the area of damage.
3. VA Dept. of Health 2021 Excellence in Waterworks Operations/Performance Award  
ACSA was informed April 19 that the authority will receive a 10<sup>th</sup> consecutive annual award (2012 – 2021) for operational performance. This is ACSA's 2<sup>nd</sup> consecutive Silver award and 3<sup>rd</sup> Silver in that 10 year period; ACSA also got Bronze annual awards in 2008 and 2009 and likely would be on a string of 14 consecutive awards except for water plant upgrade construction in 2010 and 2011. The letter and award should arrive by mail in May. A ceremony will be at the Hotel Roanoke Thursday, May 5 (lunch noon – 1:00 pm, ceremony 1 to 3 pm); ACSA will attend. Hopkins will request at the June ACSA Board meeting that Chair Tom Martin be authorized to join Hopkins in signing a Letter of Appreciation to all staff. Hopkins will also commission 2021 award tee shirts for staff.
4. Municipal Utility Assistance Program, Phase 4  
The VA Dept. of Housing and Community Development announced a 4<sup>th</sup> round of grant funding for utility customer account arrearages. In the first three rounds in 2020 and 2021, ACSA received over \$78,000 from the State to help ACSA customers. Hopkins emailed DHCD and the VA Dept. of Social Services regarding possible overlap and resulting confusion of MUAP4 and the DSS Low Income Household Water Assistance Program supposed to launch in August. Hopkins plans to submit the DHCD customer arrearages survey, but, pending DHCD and DSS responses, believes MUAP4 participation may not be a good idea; LIHWAP will require much less ACSA administration, since customer applications are submitted to DSS, not ACSA, and communications are largely between customers and DSS, though awarded grants go to ACSA for application to the customer accounts.
5. Prices Store Water Storage Tank 10 Year Maintenance Program, 2022 – 2032  
ACSA took bids for the next maintenance program contract on April 28. The previous contract was about \$100,000 for 10 years, or about \$10,000 per year, similar to ACSA's other 3 tank contracts. Two bids were received, one for over \$500,000, the other for over \$700,000. ACSA asked both bidders to explain the 400% increase and make any suggestions that would reduce the cost. ACSA will not act on the bids until response is received and may wish to re-bid the PSWST contract.

Vice Chair Perrow congratulated ACSA operators for their achievement regarding the VA Dept. of Health 2021 Excellence in Waterworks Operations/Performance Award. Board member Pugh asked where the water is tested. Is drinking water tested after treatment at the facility or out of a faucet at point of use? Mr. Hopkins informed that the sample is taken at the water filtration plant. Mr. Perrow also commented that this

award is also based on an administrative review of required documentation and reporting.

Executive Director Hopkins informed the EDA (Economic Development Authority) Director requested changing the schedule for the Service Authority/EDA Board Workshop from quarterly to semi-annually. The next workshop is scheduled for October, 2022. Board member Perrow suggested adjusting the workshop attendees, assigning a taskforce made up of two ACSA Board members and two EDA board members along with the Executive Directors. This being agreeable, Mr. Martin recommended the EDA Director be contacted concerning this recommendation.

Assistant Director Hall provided an ACSA staffing update, informing of the recent resignation of a Utility Mechanic. The open position is posted on ACSA's Website, and will be posted on Indeed.com, and in the local newspapers.

### **VIII. Citizen Comment**

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

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

### **X. Matters from the Members of the Service Authority Board**

Board member Woods asked questions regarding the matter brought before the Board by Citizen Robert Sales. Did ACSA issue a fine and a disconnect notice to Mr. Sales? Mr. Hopkins explained Mr. Sales tampered with ACSA property, which required several ACSA staff coordination's (5 different staff to communicate and interact) to reassemble. ACSA's policy is that a \$50.00 tampering fee is issued when property is tampered with. The disconnect notice is automatically generated and issued when a tampering fee is assigned. Mr. Hopkins did not direct ACSA to issue a disconnect notice. He has asked ACSA's Water Office Manager to change the standard practice/policy of sending a disconnect notice when ACSA has no intentions of disconnection. Mrs. Sales was informed ACSA had no intention of disconnecting their water service. Mr. Martin responded "perception is reality." Mr. Woods recommended a letter of apology be sent to Mr. Sales.

Board Vice Chair Perrow had nothing to discuss.

Board Chair Martin had nothing to discuss.

Board member Pugh had nothing to discuss.

### **IX. Closed Session**

Board Chair Martin asked for a motion to go into closed session to discuss the 2021 performance evaluation of the ACSA Executive Director.

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

By motion of Board member Pugh, as elaborated by Martin, and with the following vote, the Board went into closed session.

AYE: Mr. Martin, Mr. Perrow, Mr. Pugh and Mr. Woods  
NAY: None

ABSENT: Mr. Wade  
ABSTAIN: None

By motion of Board member Pugh and with the following vote, the Board came out of closed session.

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

By motion of Board member Pugh and with the following vote, the Board members individually confirmed that the only discussions during the closed session were public matters lawfully exempted from open meeting requirements and were those identified in the motion authorizing the closed session.

ROLL CALL VOTE

Mr. Martin AYE  
Mr. Perrow AYE  
Mr. Pugh AYE  
Mr. Woods AYE  
Mr. Wade ABSENT

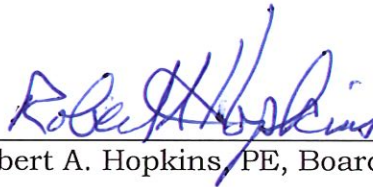
**XI. Adjournment**

By motion of Board member Pugh and with the following vote, the Board adjourned the meeting at 3:03 p.m.

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



Tom Martin, ACSA Board Chair



Robert A. Hopkins, PE, Board Secretary