

At the regular meeting of the Nelson County Service Authority held on August 17, 2023 at the Nelson County Service Authority, Administrative Building thereof:

Present: David Hight, Vice-Chairman
Sergio Sanchez
Justin Shimp
Robert McSwain
George Miller, Executive Director
Jennifer Fitzgerald, Secretary/Treasurer

Absent: Jim Bowling, Attorney
Ernie Reed, Chairman

AGENDA ITEM 1. APPROVAL OF MINUTES

On a motion duly made by Mr. McSwain, seconded by Mr. Sanchez, with Mr. McSwain voting yes, Mr. Shimp voting yes, Mr. Sanchez voting yes and Mr. Hight voting yes the following was resolved:

BE IT RESOLVED, That the Nelson County Service Authority Board of Directors does hereby approve the minutes of the July 20, 2023 annual meeting.

AGENDA ITEM 2. PUBLIC COMMENTS

Ms. Elaine Woodson and Mrs. Katie West requested the Board of Directors honor the water connection fee of \$2000.00, which was quoted to them when they initially began a conversation with NCSA in April 2023 about connecting to the Shipman water system. On July 1, 2023 the connection fees increased to \$4000.00. It was discussed with Ms. Woodson and Mrs. West that the connection fee does not include the cost of installation or boring to set the meter on the VDOT right of way for water serving 44 Hilltop Lane, Shipman. Ms. Woodson stated she is waiting to get an opinion from Mr. Tom Berry, Attorney about wording on a deed from June 10, 1961 between Boyd & Elizabeth Buggie and Alfred & Alma Loving, who at the time owned respectively 38 and 44 Hilltop Lane. Mr. Berry will be determining whether or not the wording "joint use of an outlet" in the deed is interpreted as a right of way easement.

On a motion duly made by Mr. Sanchez, seconded by Mr. Shimp, with Mr. McSwain voting yes, Mr. Shimp voting yes, Mr. Sanchez voting yes and Mr. Hight voting yes the following was resolved:

BE IT RESOLVED, That the Nelson County Service Authority Board of Directors does hereby honor the \$2,000.00 water connection fee for Mrs. West at 44 Hilltop Lane in Shipman for a period of 12 months from August 7, 2023.

AGENDA ITEM 3. OFFICE MANAGER'S REPORT

Mrs. Fitzgerald presented the Treasurer's Report for July 2023.

Mrs. Fitzgerald provided a copy of the signed Resolution that the Board of Supervisors gave authorization to initiate a PER/feasibility studies for public water and wastewater facilities in partnership with the Nelson County Service Authority on August 8, 2023. The Resolution authorizes the County Administrator to partner with NCSA in initiating the procurement of professional services to perform PERs for a water impoundment and treatment plant at Dillard Creek in Lovingston and the upgrade of the old Lovingston wastewater treatment plant.

Mrs. Fitzgerald discussed the Request for Proposal (RFP) for General Engineering Services needed to pursue funding with the Virginia Department of Health. First, we would like to pursue a VDH Planning Grant in the amount of \$45,000 to fund the PER for the Schuyler WTP TTHM project. The engineering firm selected from the RFP would address the Schuyler WTP TTHM compliance issue. The RFP will include wording about the upcoming projects to include water/wastewater system evaluation and design, hydrology, lead inventory mapping, permitting, consent order management, construction administration, funding procurement assistance, etc. With this description the engineering firm hired would be eligible to work on the Schuyler TTHM compliance project, Lovingston sewer project, lead inventory (mapping) of service lines and also the County of Nelson's Dillard Creek and Lovingston Sewer Plant PER's.

On a motion duly made by Mr. McSwain, seconded by Mr. Sanchez, with Mr. McSwain voting yes, Mr. Shimp voting yes, Mr. Sanchez voting yes and Mr. Hight voting yes the following was resolved:

BE IT RESOLVED, That the Nelson County Service Authority Board of Directors does hereby authorize the advertisement of the Request for Proposal (RFP) for General Engineering Services starting next week in the News & Advance and run for 12 consecutive days. The firm selected will be for a 1 year term, renewable for up to 2 additional years with contract amount limits as outlined in the Virginia Procurement Act.

On a motion duly made by Mr. Shimp, seconded by Mr. McSwain, with Mr. McSwain voting yes, Mr. Shimp voting yes, Mr. Sanchez voting yes and Mr. Hight voting yes the following was resolved:

BE IT RESOLVED, That the Nelson County Service Authority Board of Directors does hereby authorize Mr. Hight, Vice-Chairman to sign the Resolution for the Virginia Department of Health Planning Grant Application for the Schuyler Water System Evaluation in the amount of \$45,000.00.

Mrs. Fitzgerald discussed the Lovington sewer system project. Mrs. Fitzgerald was recently informed by Rural Development they are currently out of SEARCH grant funds. Rural Development suggested that we skip the SEARCH grant process right now and pay out of pocket for the PER needed to apply for their financial assistance. The expense of the PER is reimbursable through interim financing. The PER will be completed by whomever is selected with the RFP for General Engineering Services.

Mrs. Fitzgerald reported on the Black Creek Reservoir dredging progress. We continue to communicate with DEQ and the Army Corp. about the best approach to getting the dredging done at Black Creek. They have requested an additional map of the calculations for the square footage and cubic yardage of sediment to be removed. Saunders Surveys have been contacted to assist with providing this information.

Mrs. Fitzgerald provided the audit engagement letter from Robinson, Farmer Cox Associates. They have been providing our auditing services for over 15 years.

On a motion duly made by Mr. Shimp, seconded by Mr. Sanchez, with Mr. McSwain voting yes, Mr. Shimp voting yes, Mr. Sanchez voting yes and Mr. Hight voting yes the following was resolved:

BE IT RESOLVED, That the Nelson County Service Authority Board of Directors does hereby authorize Mr. Miller to sign the audit engagement letter for year ended June 30, 2023.

AGENDA ITEM 4. EXECUTIVE DIRECTOR'S REPORT

Mr. Miller reported on the progress of the Schuyler WWTP project. The contractor is waiting on AEP to install power poles, which has been scheduled to start soon. The contractor has the pumping station site 90% complete. The generators are still projected to be delivered in mid-October.

Mr. Miller reported on the progress of the Wintergreen WWTP project. The Wastewater plant generator was installed at this site on July 31st. The project is currently 209 days behind schedule. The metal trusses for the roof have been install on the MBR building along with exterior stair system. Additional sheet piling has been installed on the Headworks Building site along with test anchors for the tie back system.

Mr. Miller reported the Manhole frame and cover project contractor is working on punch list items.

AGENDA ITEM 5. SYSTEM MAPPING

Mrs. Fitzgerald stated the VDH director has been out for an unexpected family issue. The award letters are expected by the middle of August.

AGENDA ITEM 6. DIRECTOR'S COMMENTS

Mr. Hight requested more information about whether the sheet piling at the Headworks building will remain after the building is constructed and whether the walls are able to withstand the earth pressures.

Mr. Hight requested whether or not landscaping around the building is part of the contract at the Wintergreen WWTP.

Mr. McSwain mentioned he had spoken with Mrs. Fitzgerald about some issues in his district with dirty water complaints in relation to the fire department training.

AGENDA ITEM 7. CLOSED SESSION

On a motion duly made by Mr. Shimp, seconded by Mr. McSwain, with Mr. McSwain voting yes, Mr. Shimp voting yes, Mr. Sanchez voting yes and Mr. Hight voting yes the following was resolved:

BE IT RESOLVED, That the Nelson County Service Authority Board of Directors does hereby enter into Closed Session pursuant to the Virginia Code §2.2-3711(A)(1), performance evaluation or job assignment of specific employees.

On a motion duly made by Mr. McSwain, seconded by Mr. Shimp, with Mr. McSwain voting yes, Mr. Shimp voting yes, Mr. Sanchez voting yes and Mr. Hight voting yes the following was resolved:

BE IT RESOLVED, That the Nelson County Service Authority Board of Directors does hereby return to regular session.

On a motion duly made by Mr. McSwain, seconded by Mr. Shimp, with Mr. McSwain voting yes, Mr. Shimp voting yes, Mr. Sanchez voting yes and Mr. Hight voting yes the following was resolved:

BE IT RESOLVED, That the Nelson County Service Authority Board of Directors does hereby authorize a 5% merit raise for Mr. George Miller, Executive Director base on his performance evaluation.

AGENDA ITEM 8. ADJOURNMENT

On a motion duly made by Mr. Shimp, seconded by Mr. Sanchez, with Mr. McSwain voting yes, Mr. Shimp voting yes, Mr. Sanchez voting yes and Mr. Hight voting yes the following was resolved:

BE IT RESOLVED, That the Nelson County Service Authority Board of Directors does hereby adjourn this meeting until September 21, 2023.

Prepared by: Or June Stygal

LEGAL MATTERS: Section §2.2-3711 (A)(1) of the State Code of Virginia

MOTION: MCSWAIN

SECOND: SHIMP

DATE: AUGUST 17, 2023

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Nelson County Service Authority Board of Directors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section §2.2-3711(A)(1) of the Code of Virginia requires a certification by the Nelson County Service Authority Board of Directors that such executive meeting was conducted in conformity with Virginia law;

Now, THEREFORE, BE IT RESOLVED that the Nelson County Service Authority Board of Directors hereby certifies that, to the best of each member's knowledge (1) only business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed, or considered by the Nelson County Service Authority Board of Directors.

VOTE: 4

AYES: 4

NAYES: 0

ABSENT DURING VOTE: 1

ABSENT DURING MEETING: 1


Secretary of the Nelson County Service Authority Board of Directors