

At the Regular meeting of the Nelson County Service Authority held on December 18, 2025 at the Nelson County Service Authority, Administrative Building thereof:

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

Absent: Jim Bowling, Attorney

AGENDA ITEM 1. AUDIT PRESENTATION

Mr. Eric Angell with Robinson, Farmer Cox Associates presented the fiscal year 2024-2025 annual financial audit. He reported this is one of the better audits he participates in and that everything is impeccable and complimented Mrs. Fitzgerald on the work she does.

AGENDA ITEM 2. CLOSED SESSION

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

BE IT RESOLVED, That the Nelson County Service Authority Board of Directors does hereby enter closed session in reference to Code of Virginia §2.2-3711 (A)(1), personnel matter.

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

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

AGENDA ITEM 3. APPROVAL OF MINUTES

On a motion duly made by Mr. Hight, seconded by Mr. Sanchez, with Mr. Hight voting yes, Mr. Reed voting yes, Mr. McSwain voting yes, Mr. Sanchez voting yes and Mr. Shimp 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 November 20, 2025 regular meeting.

AGENDA ITEM 4. ASSISTANT EXECUTIVE DIRECTOR'S REPORT

Mrs. Fitzgerald presented the Treasurer's Report for November 2025.

Mrs. Fitzgerald stated the revised Preliminary Engineering Report (PER) for the Lovington Sewer project has been submitted to Rural Development for review. Currently, the Virginia Rural Development does not have a state engineer.

Mrs. Fitzgerald provided a copy of the County of Nelson Ordinance O2025-09, Chapter 12 Utilities, Article III Water and Wastewater, Division Ten approved by the Nelson County Board of Supervisors on December 16, 2025. The rates will be effective July 1, 2026.

Mrs. Fitzgerald informed the Board of Directors that notification has been received from Mr. James Bowling, IV, Attorney at Law, that he has reluctantly decided now is the time for him to step down from serving as counsel for NCSA. Mr. Bowling has recommended that we fill this position with Mr. Michael Derdeyn.

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

BE IT RESOLVED, That the Nelson County Service Authority Board of Directors does hereby authorize entering into an engagement letter with Michael Derdeyn for legal services and serving as Legal Counsel.

Mrs. Fitzgerald provided a copy of Section 8-Employee Benefits 8.8 Bonuses-Tenure Service Award which is located in the Employee Handbook. The current policy provides a bonus for employees that have been employed with NCSA through their thirtieth anniversary of employment. Mr. Miller will be employed with NCSA for 35 years on January 1, 2026.

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

BE IT RESOLVED, That the Nelson County Service Authority Board of Directors does hereby revise Section 8-Employee Benefits 8.8 Bonuses-Tenure Service Award to the following: Tenure Service Award – Employees are recognized for their service with the Authority. This bonus is for consecutive years of service. A service award of \$200.00 is paid on the employee's fifth anniversary of employment, \$400.00 is paid on the employee's tenth anniversary of employment, \$600.00 is paid on the employee's fifteenth anniversary of employment, \$800.00 is paid on the employee's twentieth anniversary of employment, \$1000.00 is paid on the employee's twenty-fifth anniversary of employment, \$2000.00 is paid on the employee's thirtieth anniversary of employment and for every additional five years of employment.

Mrs. Fitzgerald stated the Administrative Office will be closed in observance of the following holidays: Christmas Eve, Christmas Day and New Year's Day.

AGENDA ITEM 5. EXECUTIVE DIRECTOR'S REPORT

Mr Miller reported there was no progress meeting in December for the Wintergreen WWTP project. As of November 28th, there were 89 items on the punch list. Kiera Fitzgerald is not available to make a site visit prior to ski season. Matting has been ordered to cover the tanks. The EQ basin is being kept low. The Wintergreen WWTP did not have violations in November.

Mr. Miller reported the HAA5 and TTHM samples collected in Schuyler in November for the 4th quarter of 2025 all passed.

AGENDA ITEM 6. SYSTEM MAPPING

Mrs. Fitzgerald stated that NCSA maintenance staff has completed the identification of the lateral material on both NCSA and the customer's side. This information has been provided to CHA and they will be working to compile the final results reports for VDH.

AGENDA ITEM 7. DIRECTOR'S COMMENTS

None

AGENDA ITEM 8. PUBLIC COMMENTS

On December 16, 2025, Mr. and Mrs. Stefek, owners of White Oak 616 at Wintergreen, forwarded a letter and attachments to Mrs. Fitzgerald in reference to abnormal water usage and a request for consideration for a reduced water bill along with googled information about stuck toilet flappers and water leak scenarios. This information was forwarded to the Board for review prior to the December monthly meeting. During the meeting, Mrs. Fitzgerald described the high usage process of rechecking meters with over 10,000 gallons of usage every two days. Mrs. Fitzgerald presented the meter calibration results along with an email from Matt Braithwaite with Ferguson giving his findings in relation to the AWWA C700 meter accuracy and possible flow scenarios. Mrs. Fitzgerald provided information about previous high-water usages in December 2023 of 21,900 gallons and February 2024 of 22,000 gallons, which were both rechecked and no leak found. Mr. Reed stated that some of the things he spoke with Mrs. Stefak about were in her letter but also, he inquired that if we can't locate where the water went, have you reached out to those people to ask them if there was anything noteworthy. She said No. Mr. Reed said doesn't that seem like the only thing that hasn't been checked in terms of water usage and she pretty much categorically said she was not going to reach out to those people that were renting. Mr. Sanchez said that when he had water issues, he paid the bill and did a lot of extensive work to find his leak, including digging up his yard in the dead of winter with frozen ground, but he had to do his part. Mr. Sanchez acknowledged that in the past there have been property managers that allowed people to come and stay in units without the owner's permission. Mr. Shimp said you would have to run a garden hose 12 hours a day for 30 days for an average of 3.5 gallons per minute to use this much water. Mr. Shimp said there is something wrong with that, but there is no evidence we did anything wrong, but they should be talking to neighbors and trying to figure out whether someone was stealing water. Mr. Hight questioned the size of the townhome. Mr. Miller stated that this customer also has an outside yard hydrant. The water going to the meter is 70 psi and the water at the yard hydrant is 115 psi and she does have a pressure reducer inside her unit. He said it's possible someone hooked a hose to the yard hydrant and use it for irrigation. Mr. Shimp said that if she finds someone has done this and documents that someone was using her yard hydrant to irrigate that she could get credit for the sewer charge and go after them for payment. Mr. Hight said she needs a separate cut off valve for the yard hydrant or put a lock on it. Mrs. Fitzgerald stated she has offered a 12-month payment plan and so far, 2 payments have been made towards that balance. No action was taken.

Upon the January 5th meter verification, it was determined that the yard hydrant is not connected to the water meter for White Oak 616.

AGENDA ITEM 9. ADJOURNMENT

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

BE IT RESOLVED, That the Nelson County Service Authority Board of Directors does hereby adjourn this meeting until January 15, 2026.

Prepared by: 

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

MOTION: MCSWAIN

SECOND: SANCHEZ

DATE: DECEMBER 18, 2025

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: 5

AYES: 5

NAYES: 0

ABSENT DURING VOTE: 0

ABSENT DURING MEETING: 0


Secretary of the Nelson County Service Authority Board of Directors