

At the regular monthly meeting of the Nelson County Service Authority held on June 15, 2023 at the Nelson County Service Authority, Administrative Building thereof:

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

Absent: Jim Bowling, Attorney

### **AGENDA ITEM 1. PUBLIC HEARING-PROPOSED RATE INCREASE**

Mr. McSwain opened the public hearing and asked public for comments.

Ms. Patty Avalon-791 Front Street, Lovington she has lived there for 18 years. She came to the meeting to find out more information to take back to her neighbors. Concerned about neighbors on retirement income and increasing cost of utilities.

Ms. Debbie DeMarsh-679 Front Street, Lovington stated her concerns are about the rates increasing and she doesn't see any improvements in the Lovington system. She has a water line in her backyard that hinders her from renovating or building on. She informed the board that she has a manhole in her backyard that when it rains heavily, she gets raw sewage and feces from everybody in Lovington in her backyard. She has been dealing with this for 8-9 years and has contacted DEQ. She stated the manhole blow off twice and they bolted it down and now it is blowing out the side. She is afraid to allow her dogs to run in the backyard because of sink holes.

Mr. Shimp discussed the current expenses for the upgrades to Wintergreen and Schuyler and explained the consent orders and mandates with regulatory agencies. He said the Schuyler WWTP plant was built in the 1920's.

Mr. Hight discussed the fines we receive if we don't comply with regulatory agencies and those are passed on to the customers because we are just the middle man. He stated he has been on the board for over 20 years and over time the Wintergreen and Schuyler areas have needed repairs and replacement and they have been addressed. He stated now it's time for the Lovington system to be addressed because it has worked its way to the top of the priority list.

Mr. Reed stated all of the systems are very expensive to operate and maintain. The only way we can do upgrades are through our rate payers. We don't get direct money from the County, or have the ability to tax.

Mr. McSwain stated that we do plan on asking the County for funds to help with the Lovington sewer project. He stated Jesse is a proponent of the upgrade to the Lovington system. The system is small. We have to do rate increases.

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

BE IT RESOLVED, That the Nelson County Service Authority Board of Directors does hereby approve the rate increase as presented. The budget approved at the April 20, 2023 meeting remains in effect for the new fiscal year.

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

BE IT RESOLVED, That the Nelson County Service Authority Board of Directors does hereby close the public hearing.

### **AGENDA ITEM 2. APPROVAL OF MINUTES**

On a motion duly made by Mr. Reed, seconded by Mr. Shimp, with Mr. Shimp voting yes, Mr. Sanchez abstaining, Mr. Hight voting yes, Mr. Reed voting yes and Mr. McSwain 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 May 18, 2023 regular meeting.

### **AGENDA ITEM 3. OFFICE MANAGER'S REPORT**

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

Mrs. Fitzgerald stated she received an email from the County Administrator on Tuesday prior to the Board of Supervisors meeting

stating our capital needs and future needs were generally noted and acknowledged as considerations in the County's overall capital improvement planning going forward. She has requested a priority list to help them better understand these needs and consider incorporating them into the capital planning process. The list will include the projects in priority order and include a brief description of each item and its importance to the health of the overall system and to the County. Along with a cost estimate and any studies that have been completed on the project so far. The projects proposed for the list so far are Lovingston sewer system, Cluster Housing, Black Creek Reservoir dredging and Schuyler WTP TTHM issues.

Mrs. Fitzgerald stated the Nelson County Board of Supervisors voted to revise the Nelson County Service Authority, Articles of Incorporation to reflect the 5 election districts and therefore they will be having a public hearing on that topic at their August 8<sup>th</sup>, 7pm meeting.

Mrs. Fitzgerald stated the Consumer Confidence Reports that are required by the Virginia Department of Health have been generated and are available on the Nelson County Service Authority website.

Mrs. Fitzgerald stated in May, Penny Pibernus was recognized with a tenure award of 5 years.

#### **AGENDA ITEM 4. EXECUTIVE DIRECTOR'S REPORT**

Mr. Miller reported on the progress of the Schuyler WWTP project. The elevated cat walk for the generator and electrical controls for the pumping station have been installed. The aeration tank and secondary clarifier have been backfilled.

Mr. Miller reported he received a Consent Order from the Virginia Department of Health on June 2<sup>nd</sup> for the Schuyler WTP due to the exceedance of the TTHM limits. On February 7<sup>th</sup>, a warning letter was received identifying the Service Authority as a "potential serious violator". The February TTHM sample passed, however the May sample did not. Along with the consent order comes a civil fine of \$910 due within 30 days of the notice.

Mr. Miller reported on the progress of the Wintergreen WWTP project. The block laying continues on the MBR building. The contractor provided a construction schedule that states they are over 200 days behind schedule.

Mr. Miller reported the Manhole frame and cover project continues to make progress with the completion date estimated to be mid-July, 2023.

Mr. Miller reported on the progress of the 6" Schuyler Raw Water line project was completed on May 19<sup>th</sup>.

Mr. Miller reported that PAJIC Construction and Massie Saunders have exchanged communications about the Black Creek Reservoir. Mrs. Fitzgerald shared the idea of doing an in-housing dredging with a dredge pump system that is offered through lake/pond suppliers and it can pump the sediment onto the bank or into a sock. Mrs. Fitzgerald will follow-up with DEQ to find out if they will allow this practice and what is needed to get permission to move forward with this.

#### **AGENDA ITEM 5. SYSTEM MAPPING**

Mrs. Fitzgerald stated on May 31<sup>st</sup> we received an email requesting additional information on the application submitted for the LEAP grant program. The response was submitted on June 6<sup>th</sup> and we are waiting to heard back from the VDH.

#### **AGENDA ITEM 6. DIRECTOR'S COMMENTS**

Mr. Sanchez addressed Ms. Avalon and Ms. DeMarsh stating their issues are being heard, they are not being ignored and please be patient with us.

Mr. Shimp appreciated the idea of dredging in-house.

Mr. McSwain requested that the Board of Directors receive a copy of the priority list that goes to the Board of Supervisors. He also mentioned that when looking at the Larkin property and using Dillard Creek for a new reservoir he went and checked the lidar maps. The Dillard Creek comes from Wills Cove and Fortunes Cove some of the worse areas. He said the pictures show all that sediment from Hurricane Camille stopped at Route 29 and the engineers need to be aware of this. They need to design a new plant away from the problem.

#### **AGENDA ITEM 7. PUBLIC COMMENTS**

Ms. Avalon question about the Cluster Housing. Mr. Reed will address after the meeting.

#### **AGENDA ITEM 8. ADJOURNMENT**

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

BE IT RESOLVED, That the Nelson  
County Service Authority Board of Directors does hereby adjourn this meeting until  
July 20, 2023.

Prepared by: *Alayne Stenald*

