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Augusta County Service Authority
Regular Board Meeting, Thursday, August 20, 2020, at 1:30 p.m.
Board Meeting Room

PRESENT: Andrew C. Middleton, Chairman, North River District
Garry R. Gordon, Vice Chairman, Middle River District
Allen Dahl, Beverley Manor District
Matthew Egeli, Wayne District
Michael L. Shull, Riverheads District
Timothy Simmons, Pastures District
Phil Martin, Executive Director
Brent Canterbury, Board Treasurer
Jean Marshall, Board Secretary

ABSENT: Harvey Almarode, South River District

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CALL TO ORDER

The Chairman called the meeting to order at 1:30 p.m.

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ADOPTION OF AGENDA

Staff asked for the Agenda to be revised in order to add an additional Closed Session to Agenda Item 12.

Mr. Gordon moved, seconded by Mr. Simmons to adopt the revised Agenda.

Vote was as follows:

Yeas: Middleton, Gordon, Egeli, and Simmons
Nays: None
Absent: Almarode, Dahl, Shull

Motion approved.

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APPROVAL OF THE REVISED MINUTES FROM THE CALLED BOARD MEETING – JUNE 25, 2020

Mr. Gordon moved, seconded by Mr. Simmons, to approve the revised minutes of the Called Board Meeting of June 25, 2020, which have been mailed to the members with no corrections made.

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Vote was as follows:

Yeas:	Middleton, Gordon, Egeli, and Simmons
Nays:	None
Absent:	Almarode, Dahl, and Shull

Motion approved.

APPROVAL OF MINUTES FROM THE REGULAR BOARD MEETING – JULY 16, 2020

Mr. Gordon moved, seconded by Mr. Simmons, to approve the minutes of the Regular Board Meeting of July 16, 2020, which have been mailed to the members with no corrections made.

Vote was as follows:

Yeas:	Middleton, Gordon, Egeli, and Simmons
Nays:	None
Absent:	Almarode, Dahl, and Shull

Motion approved.

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MATTERS PRESENTED BY THE PUBLIC

No members of the public were in attendance to make comments and no public comments were brought forth by Staff.

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EXECUTIVE DIRECTOR’S HIGHLIGHTS

WaterJAM

Staff explained the annual WaterJAM conference will be held virtually this year between September 14 and October 2 due to COVID-19. Localities have been invited to share virtual tours of their facilities. Service Authority staff has volunteered to prepare a virtual tour of the Service Authority’s facilities to share with registered participants of the conference. The tour will include six water facilities and six wastewater facilities.

Dr. Middleton asked for the virtual tour to be made available to Board members later this year. Staff will let the Board members know when it is available.

Wilco Pump Station – Sewer Line Easement

Augusta County is considering granting a 10’ easement to the Service Authority for installation of a gravity sewer line, which is necessary in order to take the Wilco sewer pump station out of service. Staff met with the Augusta County Administrator to discuss the need for a portion of the easement to be exclusive to the Service Authority to avoid other utilities from encroaching on the sewer line. It is important to have an exclusive easement because the Service Authority cannot dig within 2’ of any other utility line with mechanized equipment, per the Virginia Underground Damage Prevention Act. Tim Fitzgerald, Augusta County Administrator, will be presenting the request for the easement to the Board of

Supervisors at the Staff Briefing next Tuesday and then at the Board of Supervisors meeting next Wednesday. Staff plans to attend at least one of the meetings.

Dr. Middleton asked if installing the gravity sewer line will eliminate the need for the pump station.

Staff stated it will eliminate the need for the pump station.

Staff will inform the Board via email of the results of the presentation to the Board of Supervisors.

Augusta County Solar Ordinance

Staff was contacted by Carolyn Bragg, Augusta County Planning Commissioner, concerning a proposed solar ordinance being presented by the Planning Commission at a future Augusta County Board of Supervisors meeting. The proposed ordinance does not include any language specifically stating the County will consider prior investments made for infrastructure before making any decisions on issues such as solar farms. In the past, the Service Authority Board has held the position of considering where rate payers' money has been spent on infrastructure improvements. It is unfair to rate payers and County tax payers if infrastructure improvements are made in an area the County Comprehensive Plan has designated for industrial growth, but the County approves that area for solar farm use. Staff asked if the Board would like Staff to attend the Board of Supervisors meeting, whenever the solar ordinance is brought before them, to speak about the lack of language regarding prior infrastructure investments.

Dr. Middleton reminded the Board, two years ago, as requested by Augusta County, Mr. Martin prepared a letter explaining the economic impact a proposed solar farm in the Stuarts Draft area would have on Service Authority facilities. The Stuarts Draft Treatment Plant was upgraded in 2010 for a capacity of 4 million gallons a day and is currently running at 1 million gallons a day. The proposed solar farm would have removed land designated as being in an Urban Service Area in the County Comprehensive Plan which requires both water and sewer services to be available. Not considering existing infrastructure would also complicate how we use bonds to expand facilities, because an expansion could be negated by a future use that would not use water and sewer.

Mr. Egeli asked what options the Service Authority has to participate in the decision making process on the solar ordinance.

Staff explained the Board could offer comments, but it is the Board of Supervisors who make the final decision. A memo could be sent by Staff and Board members asking the Board of Supervisors to take into consideration the impact solar farms would have on the treatment plant facilities. Service Authority Board members may also attend and speak at meetings pertaining to the impact of solar farms.

Mr. Shull stated the ordinance should contain language stating the County will consider prior infrastructure investments.

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Staff stated the Comprehensive Plan does have some areas designated as Urban Service Area that do not make financial sense for the Service Authority to ever supply with sewer service. The solar project that came before the Board of Supervisors two years ago contained land either with sewer service already there or where sewer service could be easily extended.

Mr. Shull stated the Planning Commission was looking at the impact where there is already infrastructure in the ground in either the form of water or sewer. There would be a negative impact to try and put solar in areas that already have infrastructure. Most of the areas where water lines already exist are where the County is planning for growth. If land is taken out of the planned growth areas, development would be forced to be in an area where the County does not want development.

Staff asked again if the Board would like Staff to attend the Augusta County Board of Supervisors meeting when the solar ordinance is presented.

Mr. Shull stated Staff should attend and reiterate the statements previously made.

Mr. Shull moved, seconded by Mr. Dahl to have the Service Authority Executive Director attend the solar ordinance hearing whenever it comes before the Augusta County Board of Supervisors, in order to provide comment on the potential economic impact on Service Authority infrastructure.

Vote was as follows:

Yeas:	Middleton, Gordon, Dahl, Egeli, Shull and Simmons
Nays:	None
Absent:	Almarode

Motion approved.

Utility Disconnection Moratoria and Repayment Plans

Staff stated the Virginia Poverty Law Center has obtained a senator and a delegate to introduce Bills at the special called Virginia Assembly Session currently under way. The Bills call for a moratorium on all natural gas, electric and water utilities for delinquent cutoffs and also mandates payment plans for delinquent accounts up to 24 months. If the Service Authority would have to extend their payment plans out for 24 months, a lot of burden will be placed on the rest of the rate payers. The chargeable amount to customers is capped at 4% of their household income. The Bill has a stipulation allowing utilities to have customers pay \$45.50 a month on their account. Chris Pomeroy, President of Aqua Law and counsel for VAMWA sent copies of the proposed Bills and the language pertaining to Budget Item 4-14.00 #7 to members of the VAMWA Board, asking for comment regarding the Bills and Budget language. Staff presented Board members with a copy of a letter VACo sent to the Senate Finance and Appropriations Committee and the House Appropriations Committee listing their concerns regarding the proposed language of the aforesaid Budget Item. The Budget language also prohibits natural gas, electric, and water suppliers from disconnecting services for non-payment of bills or fees until at least 60 days after the state of emergency has been lifted. The Budget language also mandates a 12 month repayment plan on delinquent accounts, which also would not start until 60 days after the state of emergency has

ended. Staff has expressed concerns regarding the proposed Bill and Budget and explained to Mr. Pomeroy the Service Authority is already extending a payment plan to customers with delinquent accounts.

Mr. Dahl referred to the paragraph in the VACo letter which states “the customer must provide documentation to the utilities that they have experienced a financial hardship resulting directly or indirectly from the public health emergency, or the customer must provide documentation to the utilities that they have experienced a hardship to pay during the public health emergency”. If the customer hasn’t lost their job, they should not have a financial hardship.

Staff explained the Service Authority does not have the time or the manpower it would take to verify a customer lost their job due to the health emergency. Staff does not believe delinquent accounts are an issue for the Service Authority. As of last week, only 12 accounts were turned off due to delinquency. Out of the 12 cut-offs, five remain turned off.

Board Pictures

Staff stated a request had been made seeking permission from the Board members for their pictures to be posted on the Service Authority website. It has been common practice among other Boards to have photos of Board members on the agency website.

There were some Board members in favor of the request and some who were not in favor of it. No motion was made by the Board.

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PROGRESS REPORT

The Progress Report for July is on file in the Secretary’s office and was reviewed with the Board.

Dr. Middleton asked for a meter installation update.

Staff stated the meter replacement project is over halfway complete. The next phase will start in South River 15 and will take approximately a year to be totally complete.

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COMMITTEE REPORTS

The Personnel Committee report will be given after Closed Session is adjourned.

BUILDING ADVISORY COMMITTEE

Staff stated the Building Advisory Committee did not feel an RFP was necessary for the new Field Operations building project. After Staff and the Committee talked with several engineers and architects, the Committee suggested the site/civil engineering be split from the architectural services to provide additional flexibility and potential savings. The Service Authority has an existing general services contract with the engineering firm Peed and Bortz. Following consultation, Peed and Bortz presented a rough estimate of \$30,000 to \$40,000 for

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the site/civil engineering. If the surveying portion was completed in-house by the Service Authority, the estimate would be lower. Staff and the Committee also spoke with three architects, one of whom believed they could complete the architectural design for less than \$60,000.00. If the Peed and Bortz general services contract is used, with an architect subbed under Peed and Bortz, all the design could be completed for under \$100,000. This would be a substantial savings from the original estimate. Utilizing the existing general services contract would also eliminate the necessity of advertising a formal RFP, saving the Authority a significant amount of time, effort, and expense.

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BID AWARD – WEYERS CAVE, STUARTS DRAFT, AND JOLIVUE SEWER REHAB

Staff explained Invitation for Bid (ITB) number 2003 was issued on June 26, 2020, requesting sealed bids for the trenchless rehabilitation of portions of the Weyers Cave, Stuarts Draft, and Jolivue sewer collection systems. The bid also included privately owned lines on the Blue Ridge Community College campus. BRCC requested we include the work in our bid and they would reimburse us for their portion.

Bids were opened on August 10, 2020. Of the nine bids received, Prism Contractors offered the lowest total cost of \$689,183.23.

This project was initially slated to occur in FY-20. Due to delays in compiling all the information, the project was pushed into FY-21 and no money was spent from the \$600,000 budgeted in FY-20. The proposed rehabilitation cost exceeds the FY-21 budgeted amount by \$89,183.23, but the project will reduce the amount of inflow and infiltration treated, which restores capacity at the treatment plants. In addition, because the money from the FY-20 budget was not spent, the excess was returned to the general fund and would be available to cover the overage.

After discussion, Mr. Shull moved, seconded by Mr. Dahl to accept the bid made by Prism Contractors in the amount of \$689,183.23 for the rehab of portions of the Weyers Cave, Stuarts Draft, and Jolivue sewer collection systems.

Vote was as follows:

Yeas:	Middleton, Gordon, Dahl, Egeli, Shull, and Simmons
Nays:	None
Absent:	Almarode

Motion approved.

AUTHORIZATION TO PURCHASE PICKUP TRUCKS

Staff stated the Service Authority currently utilizes half-ton pick-up trucks for many of their daily operations. The approved FY-21 Capital Budget included replacement of five of these vehicles, which were nearing the end of their useful life, at a budget of \$165,000. These vehicles were units 180, 191, 196, 204 and 209. While annual mileage on some of these

vehicles is not excessive, two of the vehicles average over 19,000 miles per year. It has been common practice to use diesel engines in large vehicles, but recent advances in diesel engine technology have made it more feasible to utilize diesel engines in half-ton pick-up trucks, as well. Both engine options are available through the state eVA contract. In addition to an increase in miles-per-gallon, diesel vehicles typically achieve longer lives, extending the expected life from approximately 200,000 miles to approximately 300,000 miles. Recently, diesel fuel has averaged \$0.19/gallon more than gasoline. The diesel-powered vehicles are reported to average 22 MPG while our existing gasoline-powered trucks average 19 MPG. At these costs and fuel economies, the annual cost for fuel is nearly identical for all five vehicles.

The purchase cost for a half-ton gasoline-powered pick-up truck is \$28,401.60. The purchase price for a diesel model is \$32,451.60. For vehicles averaging less than 10,000 miles per year, it was determined the increased life expectancy would not come into play because even a gasoline vehicle should last 20 years. After 20 years, other factors would make it desirable to replace the vehicle, regardless of the mileage. For the two vehicles averaging over 19,000 miles per year, the life of the vehicle would be extended by four or five years, thereby making the added cost justified. The amortized costs average \$650 per year less with the diesel vehicles.

Staff is requesting the Board authorize the purchase of two diesel and three gasoline powered half-ton pick-up trucks utilizing the eVA state contract. The total price for the five vehicles is \$150,108.00.

After discussion, Mr. Gordon moved, seconded by Mr. Egeli to approve the purchase of two diesel and three gasoline powered half-ton pick-up trucks for a total cost of \$150,108.00.

Vote was as follows:

Yeas:	Middleton, Gordon, Dahl, Egeli, Shull, and Simmons
Nays:	None
Absent:	Almarode

Motion approved.

AUTHORIZATION TO PURCHASE SCADA SOFTWARE UPGRADES

Staff explained in the approved FY-21 Capital Budget, \$173,250 was included to update existing SCADA software packages and consolidate Treatment Operations SCADA systems. Currently, all Wonderware Software (our SCADA software) does not have any Software Developer Support. We lack sufficient number of licenses for all users to access Field SCADA. The three large WWTP's SCADA are all independent systems and do not communicate to each other, or the Field SCADA where most of our sites are monitored from.

This project will consolidate important data (flows and alarms) from the three large WWTP's into the Field SCADA allowing for greater knowledge of status of all facilities from a single information source. This upgrade will not allow for control of the large WWTP's, only data acquisition.

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While there are other SCADA software providers, Wonderware and ThinManager are the systems currently utilized by ACSA for SCADA. Changing to other software systems would require the purchase of completely new software, licenses, and software integration, which is far more expensive than upgrading existing systems and placing them on an annual maintenance contract for developer support.

Staff requested the Board authorize a purchase order in the amount \$112,271.58 be issued to Insource Solutions for the purchase of software upgrades and annual support, Wonderware Modernization upgrade, Historian upgrade licenses, and Consolidation System licenses.

After discussion, Mr. Gordon moved, seconded by Mr. Shull to authorize a purchase order in the amount of \$112,271.58 to be issued to Insource Solutions for the purchase of software upgrades and annual support, Wonderware Modernization upgrade, Historian upgrade licenses, and Consolidation System licenses.

Vote was as follows:

Yeas:	Middleton, Gordon, Dahl, Egeli, Shull, and Simmons
Nays:	None
Absent:	Almarode

Motion approved.

CLOSED SESSION

Mr. Gordon moved, seconded by Mr. Simmons to convene in closed session pursuant to Virginia Code §2.2-3711(A)(19), to discuss plans to address cybersecurity threats and vulnerabilities.

Vote was as follows:

Yeas:	Middleton, Gordon, Dahl, Egeli, Shull, and Simmons
Nays:	None
Absent:	Almarode

Motion approved.

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Mr. Gordon moved, seconded by Mr. Simmons to come out of closed session.

Vote was as follows:

Yeas:	Middleton, Gordon, Dahl, Egeli, Shull, and Simmons
Nays:	None
Absent:	Almarode

Motion approved.

Board members were requested to certify only matters pursuant to Virginia Code §2.2-3711(A)(19) were discussed. Members certifying were Middleton, Gordon, Dahl, Egeli, Shull, and Simmons.

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Mr. Gordon moved, seconded by Mr. Simmons to convene in closed session pursuant to Virginia Code §2.2-3711(A)(8), to discuss consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

Vote was as follows:

Yeas:	Middleton, Gordon, Dahl, Egeli, Shull, and Simmons
Nays:	None
Absent:	Almarode

Motion approved.

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Mr. Shull moved, seconded by Mr. Simmons to come out of closed session.

Vote was as follows:

Yeas:	Middleton, Gordon, Dahl, Egeli, Shull, and Simmons
Nays:	None
Absent:	Almarode

Motion approved.

Board members were requested to certify only matters pursuant to Virginia Code §2.2-3711(A)(8) were discussed. Members certifying were Middleton, Gordon, Dahl, Egeli, Shull, and Simmons.

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Mr. Gordon moved, seconded by Mr. Simmons to convene in closed session pursuant to Virginia Code §2.2-3711(A)(1), to discuss personnel matters regarding performance review and evaluation

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Vote was as follows:

Yeas:	Middleton, Gordon, Dahl, Egeli, Shull, and Simmons
Nays:	None
Absent:	Almarode

Motion approved.

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Mr. Shull moved, seconded by Mr. Simmons to come out of closed session.

Vote was as follows:

Yeas:	Middleton, Gordon, Dahl, Egeli, Shull, and Simmons
Nays:	None
Absent:	Almarode

Motion approved.

Board members were requested to certify only matters pursuant to Virginia Code §2.2-3711(A)(1) were discussed. Members certifying were Middleton, Gordon, Dahl, Egeli, Shull, and Simmons.

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PERSONNEL COMMITTEE REPORT

Mr. Simmons moved, seconded by Mr. Egeli to accept the FY2021 performance goals as introduced to each of the Board members in Closed Session and to approve the Executive Director’s salary and bonus as discussed in Closed Session.

Vote was as follows:

Yeas:	Middleton, Gordon, Dahl, Egeli, Shull, and Simmons
Nays:	None
Absent:	Almarode

Motion approved.

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BOARD COMMENTS

Mr. Shull stated the Augusta County Service Authority’s Rules of Order were set up to follow and shadow the Augusta County Board of Supervisors Rules of Order. Although neither the Service Authority’s nor the Board of Supervisors’ rules indicate they are

following Robert's Rules of Order, when it comes to voting the Board of Supervisors follow Robert's Rules. The Board of Supervisors is considering changing their Rules of Order to specify Robert's Rules will be followed on voting issues. The vote on the rate increase at the June 18 meeting resulted in a 3-3 tie, meaning the motion was defeated. Under Robert's Rules, the losing side of the vote cannot bring the issue back to the governing Board. Mr. Simmons brought the issue back to the Board at the June 25 meeting. If there is not a rule on anything that fails, all the losing side would have to do is wait until the Board members on the winning side are absent at a meeting and bring the issue back up and get it approved. Mr. Shull recommended Robert's Rules be put back into the Service Authority's Rules of Order on anything that requires a vote and be in line with Augusta County's Rules of Order.

Mr. Shull made a motion for Robert's Rules of Order to be put into the Service Authority's Rules of Order for voting issues.

Mr. Dahl stated the Board should have a clear plan on how to deal with situations such as a tie vote. Putting Robert's Rules back into the Service Authority's Rules seems like a reasonable solution.

Mr. Simmons stated he is not familiar with Robert's Rules of Order and asked for the motion to be tabled in order to research Robert's Rules.

Mr. Egeli stated he is in favor of having a clear set of rules. Any changes in procedure should be in writing for all Board members to review before making any decisions.

Mr. Shull stated the Board rules should not limit the time Board members are allowed to speak at meetings. Each Board member should have a say for the people they represent without a time limitation.

Mr. Simmons stated medical emergency situations need to be looked at and how to adjust voting during those situations. Mr. Simmons was referring to the situation at the June 18 meeting, when, due to a medical situation, Mr. Graves was unable to attend the meeting. Mr. Graves wrote a letter to the other Board members stating how he would vote on the rate increase, if he was able to be present at the meeting. Mr. Simmons felt some concessions should have been made for that particular situation, such as tabling the vote.

Mr. Shull stated voting has to take place at the public meeting and proxies cannot be sent in. The rate increase situation was a time restrictive issue due to the budget needing to be completed and approved. Rules need to be followed when it comes to voting.

Mr. Dahl stated in retrospect, the vote on the rate increase should have been tabled with a Called Meeting scheduled at a later time when all Board members could have been present. Mr. Dahl stated he is not very familiar with Robert's Rules of Order and he was not part of the Board when the Board made the move away from them. However, it does seem to be a widely accepted way to conduct business. It may be better for the Board to say they are going to work by Robert's Rules except for certain exclusions. There needs to be an instruction manual possibly applying Robert's Rules to certain situations.

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Mr. Shull stated the Service Authority’s Rules of Order do not specify anything on voting. Talking is one thing, but when it comes down to voting, that is a different subject. It needs to be clear cut when it comes to voting issues.

Dr. Middleton stated the Service Authority’s Rules of Order do specify voting.

Mr. Shull stated the Service Authority set the Rules of Order to follow the guidelines the County follows. The Board of Supervisors Rules of Order do not specify voting standards, but it’s been understood Robert’s Rules are followed. It needs to be addressed with this Board and with the Board of Supervisors so there will not be any question on voting. The Board of Supervisors will be considering revising their Rules of Order at their next meeting.

Mr. Egeli stated he would be happy to look at whatever the Board of Supervisors adopts.

Dr. Middleton stated it is important to have set rules to govern the Board, including voting rules. There is reluctance to support a blanket acceptance of Robert’s Rules because using them lengthens the time of meetings significantly. He asked if the issue could be resolved by changing the Rules to set a time limit before a defeated motion could be presented again to the Board.

Mr. Shull stated all of Robert’s Rules do not need to be in the Service Authority’s Rules of Order, but they do need to be followed on voting issues.

Mr. Shull stated it’s the up or down vote and if it’s voted down, the losing side does not bring it up for a year. That is what the Board of Supervisors has always abided by.

Mr. Shull withdrew his motion to put Robert’s Rules back into the Service Authority’s Rules of Order. He will present the decision the Board of Supervisors make on their Rules of Order to the Service Authority Board.

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There being no further business, the meeting was adjourned at 4:25 p.m.

Board Secretary

Chairman