

**Louisa County Water Authority  
Board of Directors  
April 20, 2022**

MEMBERS PRESENT: Mr. Judson Foster, Chairman; Mr. Douglas Smith, Vice-Chairman; Mr. Bob Hardy; Mr. Tom Filer; Mr. Durwood Willis; Mr. David Kies and Mr. Robert Morgan

OTHERS PRESENT: Ms. Pam Baughman, General Manager

**A. Call to Order**

Mr. Foster called the meeting to order at 6:01 pm.

**1. ADOPTION OF THE AGENDA**

Mr. Foster asked if there were any changes or additions to the agenda. Ms. Baughman stated she had one addition to the Short Notice Items section titled Louisa Regional Wastewater Treatment Plant refrigerated sampler. Mr. Smith made a motion to adopt the agenda with the proposed addition. The motion was seconded by Mr. Morgan and carried 7-0.

**B. Presentations**

**C. Citizen Information**

**D. Consent Agenda**

**2. APPROVAL OF THE MINUTES:**

**A. MARCH 9, 2022 – REGULAR BUSINESS MEETING**

**3. TREASURER'S REPORT:**

**A. O & M REPORT / CAPITAL REVENUE & EXPENDITURE REPORT – MARCH 2022**

**B. APPROVAL OF DISBURSEMENTS – MARCH 2022**

**C. CONSTRUCTION FUND – MARCH 2022**

The Board reviewed the Consent Agenda including the Treasurer's Report. Upon completion of the review, Mr. Hardy made a motion to approve the Consent Agenda. The motion was seconded by Mr. Kies and carried 7-0.

**E. Old Business**

**4. UPDATE – JAMES RIVER WATER PROJECT**

The James River Water Authority met on April 13, 2022. Justin Curtis of AquaLaw provided an update on the following topics:

**Project Permitting** – the permit application process is underway, with written and additional field work to be completed. The additional field work includes surveys, stream habitat surveys, and additional archeological work. DEQ has recommended coordination with Henrico County due to the proximity of the intake structure and Cobbs Creek Reservoir. A meeting will take place in a couple of weeks. Everyone wants the permits submitted as early as possible.

**Stipulation of Eligibility for the Pump Station Site** – Gray & Pape have formulated a Work Plan which GAI has marked up. After GAI's markups have been incorporated into the Work Plan it will go to the Monacan Nation for approval.

**Three Phases of an Archeological Study:**

**Phase I** – This level is included in regulations and is the highest level of review. Phase I is now complete. Five sites have been deemed in need of further review. Four are along the water line and one is where the wet well for the pump station will be located.

**Phase II** – The evaluation of significance and determines what is eligible to be added to the historic register. This is the level the James River Water Authority at is now. Eligibility can be due to the location or is based on data/artifacts located. Much less evidence of artifacts has been found on site 1C than on the Point of Forks site.

**Phase III** – The mitigation level doing the best not to destroy any significant artifacts or at least minimize impacts to any artifacts.

Justin Curtis and GAI recommended to the JRWA to skip Phase II and stipulate eligibility on the wet well site now. Digging the wet well site will go much slower, the site will only be opened once instead of twice, the costs will be deferred to Phase III, and if the need arises to drop back to Phase II, nothing will be lost. The sites along the water line can be avoided and may not need to be stipulated for eligibility.

Some regulatory issues on the horizon – the long-eared bat may be placed on the endangered species listing. This will mean that trees can only be removed during certain times of the year. Justin Curtis stated that it may become necessary to clear the site and right-of-way sooner than later.

The US Supreme Court ruled Wednesday, April 6, 2022, that Water Quality Certifications from the Federal Government will be reinstated while the case works its way through the Court of Appeals. Meaning the Army Corp of Engineers will be required to provide a Water Quality Certification for this project.

Every ten years or so, the Department of Environmental Quality requires regional water supply planning. Since the last regional water supply planning, several changes have been implemented from the General Assembly. Currently, Louisa is included the Middle James River 1 planning area, which includes the counties of Albemarle, Buckingham, Fluvanna, Green, and the City of Charlottesville. The City of Richmond has objected to Louisa being included in the Middle James River 1 planning area. Guidance and finalized regulations are expected in approximately one year for localities to begin water supply planning.

Mr. Foster asked about the timeline provided in the packet. Ms. Baughman stated that she has been told to expect water to be flowing sometime in 2024 but would refer to the published timeline until the project is underway or nearer to completion.

#### 5. NORTHEAST CREEK WATER TREATMENT PLANT – SLUDGE VAC-SYSTEM UPDATE

Met with the engineers on March 30, 2022, to review and discuss the 35% design drawings. The next set of plans we receive will be 95% complete and ready for bid. The engineers were asked if this would be completed by the end of the year; they responded “probably not”—more than likely sometime in the spring of 2023.

#### 6. LOUISA REGIONAL WASTEWATER TREATMENT PLANT – FILTER BUILDING MODIFICATIONS UPDATE

All the final reviews are being completed. Once everything begins, the project should move along quickly, with a completion date of sometime late summer.

#### 7. ZION CROSSROADS WELL SYSTEM UPDATES

##### A. SPRING CREEK - #1 & #2 UPDATE

The access road to Spring Creek #1 & #2 has been completed. SYDNOR has been authorized to install the pumps, pit-less adaptor, etc. in preparation of the sampling and draw down testing. Once the samples and draw down testing is complete and reviewed by the Virginia Department of Health, all that will be left to complete is tying the electrical and piping to the Spring Creek Well House. Hoping for completion mid to late summer.

##### B. POORE WELL IMPROVEMENTS UPDATE

The Authority has completed everything required and the data submitted to the engineers. The results were favorable, so we should be able to move ahead with the filters and chemical sequestration. The engineers should have everything they need to wrap up 90% of the drawings in the next 2-3 weeks. Once the 90% complete plans meet the Authority's approval, they will go to the Virginia Department of Health for approval.

##### C. ZION CROSSROADS DISTRIBUTION SYSTEM HYDRAULIC STUDY UPDATE

Met with the engineers on Monday, April 11, 2022, to go over the gaps in data needed to continue the hydraulic study.

Mr. Smith asked if the Board would receive an update from the Committee formed to look at the Authority office space. Ms. Baughman responded that the Committee has not met yet. The Committee was scheduled to meet on Friday, April 15, 2022, but she was sick and unable to attend.

#### F. New Business

#### 8. SIX-O-FIVE VILLAGE WATER LINE

Several meetings have taken place and the engineers are working on a “high-level” budget price for the application, should the County of Louisa want to move forward with the line extension. The Six-O-Five Village is outside of the designated growth area and BOS has not decided if they want a water line there or not.

#### 9. INDUSTRIAL PARK TANK MIXER REPLACEMENT

The Board reviewed the proposal from Southern Corrosion to replace the mixing unit in the 200,000-gallon multi-leg tank at the Industrial Air Park. The old mixer is no longer functional and will be removed during a routine maintenance cleaning of the interior. The new mixer will be attached to a chain and have the ability of pulling it up for service rather than draining the tank to gain access to the mixer.

The Board discussed the need of a new mixing unit, stating that the Nanofiltration system has performed above expectations. After discussing the need to keep the water mixed/turned over, the Board decided to set aside the new mixing unit and watch the Disinfection By-products results to determine the need.

#### 10. RESOLUTION POSTHUMOUSLY RECOGNIZING HENRY PORTER "HP" SMITH

The Board reviewed the DRAFT Resolution posthumously recognizing Henry Porter "HP" Smith for his years of dedicated service. Upon completion of the review, Mr. Hardy made a motion to approve the Resolution. The motion was seconded by Mr. Smith and carried 7-0.

#### 11. LATEST H2INFO

The Board reviewed the latest edition of H2info. Mr. Smith asked why this edition seemed to focus on Margaret Clark. Ms. Baughman stated that HP Smith was the featured employee in the last edition; it was simply her time to be featured.

### G. Reports

#### 12. PROGRAM MANAGER'S REPORT

Ms. Baughman reported to the Board that Ms. Mary Johnson has applied for a grant to recover costs associated with the January 3, 2022, snowstorm. She will be meeting with VDEM and FEMA to discuss the grant request; the grant amount has not been finalized.

### H. General Manager's Report

- **March levels:** At the end of March 2022, the static well levels are up approximately .9 feet from the end of February 2022 levels. From March 2021 to March 2022, the well levels are down approximately 5.5 feet.

The smaller table shows static well levels located nearer to the production wells. These levels are up approximately .5 feet from the end of February 2022 levels. From March 2021 to March 2022, the well levels are down approximately 11.8 feet.

As of April 19, 2022, for the Northern Piedmont Region, the Department of Environmental Quality Drought Monitor indicates a drought watch for ground water. Normal conditions exist for precipitation, reservoir levels, and streamflow.

- Included on the General Manager's Report was a listing collected by the Rivanna Water & Sewer Authority for Merit/COLA and/or Bonuses proposed or approved by some local utilities.
- The 2022 legislative session has concluded. The outcome was favorable for public utilities. Most of the bills impacting public utilities were defeated, left behind, or amended. HB 919 provides that the regulation that the Board of Health is required to adopt under current law establishing maximum contaminant levels in all water supplied and waterworks in the Commonwealth shall be effective after July 1, 2025. HB 1297 directs the State Water Control Board to consider existing interjurisdictional arrangements in designating comprehensive water supply regional planning areas and to provide a mechanism for a locality to request a change of its designated regional planning area to an adjoining planning area. Our new planning area will be called The Middle James River 1 Planning Area and includes the following localities: counties of Albemarle, Buckingham, Fluvanna, and Louisa, and the City of Charlottesville. Additionally, if one locality does not participate in the process, the entire planning area will not be penalized with an incomplete water supply plan. The City of Richmond opposes Louisa's inclusion in the Middle James River 1 Planning Area.
- Nearing completion of the Louisa Regional Wastewater Treatment Plant VPDES Permit renewal. During the process, we stumbled upon an opportunity to complete a study (estimated cost of the study is \$50,000 - \$60,000) that has the potential to have the Ammonia limit removed from our permit completely if the study results are favorable. The study will also provide optimization of the plant operations, which could provide a cost savings. The study would need to demonstrate that no harm would be caused to the receiving stream. If the study proves favorable and Ammonia is removed from our permit, the approximately \$4M upgrade would not need to be undertaken. Both Christian Goodwin, County Administrator and Liz Nelson, Town Manager expressed their desire for the study to proceed once the backing of the Board of Supervisors and the Town Council has been received. Since everyone's budgets for FY2023 are complete, it was determined to include this in the FY2024 budget if all parties agreed. However, Christian Goodwin stated that he could find \$30,000 in his budget if Ms. Nelson could also.
- The current past due listing shows \$18,238.65. The due date for all bills was Tuesday, April 19, 2022.
- We received a thank you card from the Louisa County High School Envirothon kids.

### I. Committees

#### **J. Short Notice Items**

The reissuance of the Louisa Regional Wastewater Treatment Plant VPDES Permit should be completed June 30, 2022. With the new permit, a refrigerated sampler will be needed to conduct the required samples. The cost of a refrigerated sampler and associated cables, suction lines, and bottles is \$8,081. With supply chain delays, staff would recommend proceeding with the purchase hoping to receive the sampler prior to the new VPDES Permit becoming effective.

Upon completion of the discussion, Mr. Hardy made a motion to approve the purchase of a refrigerated sampler, including the cables, suction lines, and bottles needed to conduct sampling. The motion was seconded by Mr. Smith and carried 7-0.

#### **K. Closed Session**

13. Closed Session pursuant to Va. Code Section 2.2-3711(A)(1) to discuss and consider personnel matters; including the discipline, appointment, assignment, performance, and salaries of specific appointees and employees and pursuant to Va. Code Section 2.2-3711(A)(7) for consultation with legal counsel and briefings by staff members pertaining to probable litigation in the Mineral District.

#### **CLOSED SESSION:**

Mr. Filer made a motion to close the regular open meeting and immediately reconvene in executive closed session for the purpose of and consideration of personnel matters, including the discipline, appointment, assignment, performance, and salaries of specific appointees and employees and for the purpose of consultation with legal counsel and briefings by staff pertaining to probable litigation in the Mineral District. The motion was seconded by Mr. Filer and carried 7-0.

#### **RETURN TO OPEN MEETING:**

Mr. Foster closed the closed session and immediately reconvened in regular open meeting.

#### **CERTIFY:**

Mr. Foster read the following statement prior to the vote to certify the closed session.

"Pam will now poll members to certify that to the best of your knowledge, only public business matters lawfully exempted from the open meeting requirements under the Virginia Freedom of Information Act, and as identified in the motion for which the closed meeting was convened, were discussed and considered by the Board. If any member believes that the Board varied from the purpose stated for the closed meeting, please state so and the reason prior to casting the vote." A roll call vote was requested with the following results:

Mr. Foster	Yes
Mr. Smith	Yes
Mr. Filer	Yes
Mr. Hardy	Yes
Mr. Kies	Yes
Mr. Morgan	Yes
Mr. Willis	Yes

The motion was carried 7-0.

At the conclusion of the closed session, Mr. Smith made a motion to inform staff that, effective July 1, 2022, all employees will receive a 5% increase. Employees participating in the wellness program will pay the same rates as last year for health insurance, and employees will receive a \$1,000 bonus (\$500 to be paid no later than May 15, 2022, and the remaining \$500 paid no later than October 15, 2022). If an employee is no longer employed with the Authority when the second half of the bonus payout is made, they do not qualify for that half of the bonus. The bonus is in recognition of all the hard work and efforts of staff during the January 3, 2022, snowstorm and aftermath, as well as employees covering the current staffing shortage. The motion was seconded by Mr. Filer and carried 7-0.

**Next meeting date** - The next business meeting is scheduled for May 11, 2022.

#### **L. Adjournment**

THERE BEING NO FURTHER BUSINESS, Mr. Smith made a motion to adjourn at 7: 29 pm. The motion was seconded by Mr. Hardy and carried 7-0.

BY ORDER OF:

Judson Foster  
Chairman  
LOUISA COUNTY WATER AUTHORITY