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Augusta Water
Regular Board Meeting, Thursday, July 20, 2023, at 1:30 p.m.
Board Meeting Room

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

ABSENT: None

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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

Mr. Gordon moved, seconded by Mr. Almarode to adopt the Agenda as presented.

Vote was as follows:

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

Motion approved.

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APPROVAL OF MINUTES

Mr. Almarode moved, seconded by Mr. Gordon, to approve the Minutes of the Regular Board Meeting of June 15, 2023, which have been mailed to the members.

Vote was as follows:

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

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

Mr. Martin informed the Board of a lawsuit VRWA filed against manufacturers of PFAS. VRWA encouraged its members to join in the lawsuit. After confirmation from legal counsel, Augusta Water Staff completed the required paperwork for participation in the lawsuit. Notice has been received one of the manufacturers has already made a settlement.

Mr. Martin stated notice has been received acknowledging Augusta Water was a successful bidder to receive nutrient credits under the DEQ pilot program, Pay for Demonstrated Performance. This program was discussed with the Board members at the June 15 meeting.

Mr. Egeli asked for the status of the Engineering Manager position.

Mr. Martin stated the recruiting agency who submitted the lowest quote for recruiting services became unresponsive during contract discussions. The company with the second lowest quote has submitted an agreement and legal counsel is currently reviewing it.

Mr. Egeli stated while he understands the hiring process is challenging, Staff needs to do whatever it takes to get someone hired.

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PROGRESS REPORT

There were no questions or discussion by Board members regarding the Progress Report.

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COMMITTEE APPOINTMENTS

Dr. Middleton stated the Committee appointments for FY-2024 are as follows:

Executive Committee: Andrew C. Middleton, Chairman
Garry R. Gordon, Vice Chairman

Finance and Audit Committee: Garry R. Gordon, Chairman
Harvey Almarode
Andrew C. Middleton, Ex-Officio

Personnel Committee: Timothy Simmons, Chairman
Matthew Egeli
Andrew C. Middleton, Ex-Officio

Land and Water Committee: Michael S. Shull, Chairman
Allen Dahl
Andrew C. Middleton, Ex-Officio

Legal Committee: Matthew Egeli, Chairman
Harvey Almarode
Andrew C. Middleton, Ex-Officio

Dr. Middleton stated the Broadband Committee shall be disbanded.

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EXCELLENCE AWARDS

In 2018, as part of an effort to recognize and reward Augusta Water employees for exceptional work that goes above and beyond their normal duties, the Excellence Awards were developed. These honors are awarded twice a year covering multiple categories and include a \$200 monetary award, recognition to this Board and inclusion in the Augusta Water monthly newsletter. For the first half of 2023 several nominations were received and the departmental Directors have selected the worthiest as the winner for each category.

Outstanding Customer Service: Jon Sanders, Sharon Simmons and Chad Hammer were nominated by Phil Martin. On March 17th, we received a note from Ron and Becky Johnson about the great experience they had when acquiring a new sewer connection at 130 Sunset Drive. They specifically named Jon, Sharon and Chad and stated they “made this experience much easier than we could have predicted!”.

Outstanding Effort: Chuck Butler and Donna Newman were nominated by Faun Runkle for their great work on the uniform switch-over. Chuck was the main person involved in implementing our new “Uniform Storefront” with Commonwealth Promotional, getting an adequate selection of high-quality items for our employees. Donna kept the entire ordering process organized, developing spreadsheets and keeping billing and invoicing up-to-date. A satisfaction survey sent out to employees in May recorded a 95% satisfaction rate with our new uniforms.

Innovation/Cost Savings: Andrew Neckowitz was nominated by Casey McCracken for his work in migrating our emails off the Augusta County servers and onto our own. As part of this, we purchased a software tool from Quest. Their sales engineer estimated 40 hours of their professional services to complete the project. Calling on his previous experience with Office365, Andrew was able to complete the work while only needing nine hours of professional services time from Quest. This resulted in a savings of over \$11,000.

Can-Do Attitude: Beverly Dull was nominated by Sharon Simmons for her consistently great attitude and helpful nature. Sharon mentioned Beverly has become the “go-to” person for help with any issue. She also mentioned an email from Chris Reinhard at the new Amazon facility where he stated Beverly was “absolutely fantastic to work with”.

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Board members congratulated the employees and thanked them for the work they do for Augusta Water.

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UPCOMING SOLAR PROJECTS

Mr. Martin presented three potential solar projects coming before Augusta County boards.

1. Fishersville Solar Farm, LLC has submitted a request for a Special Use Permit (SUP) to install solar panels on a property located in the Wayne District at 74 J Ranch Lane. The total parcel acreage is approximately 24 acres and the proposed area to be developed is approximately 10 acres. The property is designated as an Urban Service Area in Augusta County's Comprehensive Plan and slated for Planned Residential with a density of 4-8 dwelling units per acre. The nearest public water is a 12" main located on Long Meadow Road and is approximately 1,000' northwest of the site. Public sewer is available with a 12" main crossing the southwesterly corner of the site. The Special Use Permit request will go before the Augusta County Planning Commission, as well as the Board of Zoning Appeals. If the SUP is approved, Augusta Water could potentially lose up to 33 service connections and between \$240,150.00 and \$360,225.00 in revenue.
2. Augusta Solar, LLC has submitted a request for a SUP for a 102-megawatt utility scale solar facility in Stuarts Draft. The project will cover all, or part of 20 parcels within a 647-acre parcel area. Ten of the twenty parcels are located in the Urban Service Area of Augusta County's Comprehensive Plan. Six of the ten parcels have a Future Use of Industrial, two have a Future Use of Planned Residential, one has a Future Use of Neighborhood Mixed Use, and one has a Future Use of Medium Density Residential. The remaining ten parcels are located in the Community Development Area and have a Future Use of Low Density Residential. This request is expected to go before the Augusta County Planning Commission in November and then be referred to the Augusta County Board of Supervisors.

Dr. Middleton stated, it will difficult for Augusta Water to plan for the future if the County of Augusta changes property uses in their Comprehensive Plan (Comp Plan), especially since Augusta Water has already built infrastructure based on the Comp Plan. Mr. Martin should convey the difficulty during discussions with other Augusta County stakeholders, emphasizing the money Augusta Water ratepayers have paid to construct the current infrastructure and the loss of it becomes nonproductive. The growth of Augusta County will be largely dependent on the location of water and wastewater services, if there is to be any type of density other than small residential lots throughout Augusta County. The reason for the Comp Plan is so others can have something to depend on.

Mr. Egeli stated Staff should also emphasize how dramatic solar uses are from residential and industrial uses. He agreed with Dr. Middleton, that the impossibility of planning for the future is apparent.

Mr. Dahl stated it is hard to plan for the future, but feels Augusta Water is dealing with an unusual situation. Solar farms were not a consideration when planning was taking place 15-20 years ago. Hopefully, in the future, there will be a way to factor solar farm projects

into the County’s Comp Plan. Now that solar is here, there is a transition period where development is not going to be perfect and compromises may need to be made. Mr. Dahl requested Mr. Martin investigate if there is any legal process that has passed legislation allowing solar companies to remediate for monetary losses caused by the installation of solar panels on property zoned for residential or industrial use.

Dr. Middleton pointed out Augusta Water is charged with acting prudently on behalf of the ratepayer. There is an obligation to our ratepayers to weigh in on the argument as a stakeholder and offer our comments to the decision makers of Augusta County. He requested Mr. Martin continue to attend the County Board meetings regarding solar projects and convey the impact the projects will have on Augusta Water and its ratepayers.

- 3. Wayne Avenue Solar 2, LLC has submitted a request for a SUP to install solar panels on property located in the South River District adjacent to 147 Wayne Avenue. The total parcel acreage is approximately 36 acres and the proposed area to be developed is approximately 31.5 acres. The property is in the Urban Service Area and the future use in Augusta County’s Comprehensive Plan is Industrial. There is a 21” sanitary sewer main running approximately 220’ south of the property, but a crossing of South River would be required to access it. Water service access would require extending across private property owned by RAE Enterprises to the east or Hollister to the west. The Stuarts Draft WWTP is located approximately 1,350’ east of the property. The 6” private sanitary sewer forcemain from Hershey to the Stuarts Draft WWTP crosses the southern end of the property. This request will go before the Augusta County Planning Commission, as well as to the Board of Zoning Appeals. If the SUP is approved, Augusta Water could potentially lose between \$460,000 and \$630,000 over a 35-year period.

After further discussion regarding the solar projects, the Board members requested Mr. Martin offer comments at the Planning Commission meeting regarding the Fishersville Solar Farm, LLC request, stating it would be challenging to develop this property and the request will have little impact on Augusta Water services or Augusta Water ratepayers.

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COMMITTEE REPORTS

Mr. Simmons stated the Personnel Committee report will be given during the Closed Session.

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CLOSED SESSION

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.

Vote was as follows:

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

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Motion approved.

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

Vote was as follows:

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

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, Almarode, Dahl, Egeli, Shull, and Simmons.

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The Personnel Committee moved to accept the FY2024 performance goals and compensation for the Executive Director as introduced to each of the Board members in Closed Session.

Vote was as follows:

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

Motion approved.

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BOARD COMMENTS

Dr. Middleton asked Mr. Martin to update the Board members on the status of the Release Agreement with Barbara Swisher.

Mr. Martin stated, a Release Agreement was written on Augusta Water’s letterhead, as requested by Mrs. Swisher, stating Augusta Water would reimburse Mrs. Swisher \$330.00 for excessive water usage, based on the terms agreed to at the June 15, 2023 meeting. The agreement also states, in the event the existing water mains are relocated to provide service to residents on Cricket Road, Mrs. Swisher will not be required to pay any additional fees to have service reconnected at her property. Mr. Martin, Dr. Middleton, and Mrs. Swisher will sign the agreement, with all signatures being notarized.

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There being no further discussion, Mr. Egeli moved, seconded by Mr. Dahl to adjourn the meeting at 3:00 p.m.

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Vote was as follows:

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

Motion approved.

Board Secretary

Chairman