



**RAPIDAN SERVICE AUTHORITY
BOARD OF MEMBERS AGENDA
19-Sep-24**

	<u>PAGE</u>
1 CALL TO ORDER BY CHAIRMAN, Mark Johnson	
2 ROLL CALL - ESTABLISHMENT OF QUORUM	
3 PLEDGE OF ALLEGIANCE	
4 ADOPTION OF AGENDA	
5 APPROVAL OF MINUTES - JULY 18, 2024	1 - 2
6 OLD BUSINESS	
7 NEW BUSINESS	
A. PUBLIC COMMENT	
B. CUSTOMER REQUESTS- STANCELL	3 - 4
C. COMMENTS FROM THE BOARD	
D. WILDERNESS WATER TREATMENT UPDATE	
E. REGIONAL WATER SUPPLY PLANNING	5 - 6
F. TOWN OF ORANGE WATER RATE ADJUSTMENT TO RSA	7
G. GENERAL MANAGER REPORT	8
H. ATTORNEY REPORT	
I. CLOSED SESSION	
8 ADJOURNMENT	

**NOTE: MEETING TO BE HELD AT THE ORANGE COUNTY PUBLIC SAFETY BUILDING AT 2:00 PM.
11282 GOVERNMENT CENTER DRIVE, ORANGE, VA 22960**

A regular meeting of the Board of Members of Rapidan Service Authority was held on July 18, 2024, at the Orange County Public Safety Building, Orange, VA.

The meeting was called to order at 2:00 PM. A quorum was established followed by the Pledge of Allegiance.

Present: Members: Coppage, Elliott, Johnson, Marshall, Voorhees
 Staff: G.M. Clemons, D.O. Jarrell, D.A. Gaskins
 Attorney: Stefan Calos (virtual)

The agenda for the meeting was adopted on a motion by Coppage, seconded by Elliott, and passed unanimously on a voice vote.

The minutes of the June 20, 2024 meeting were approved on a motion by Marshall, seconded by Elliott, and unanimously passed on a voice vote.

Under old business, G.M. Clemons explained the need to modify the April minutes as recommended by RSA's attorney. On a motion by Voorhees, seconded by Coppage, the words "Finally, it appears that RSA will probably be on the low end of the PFAS contamination scale and would therefore not need to be a participant in any lawsuits seeking financial aid to mitigate problems connected to PFAS" were replaced by "RSA is a participant in the PFAS litigation settlement, but it appears that RSA will probably be on the low end of the PFAS contamination scale and would therefore not need to receive financial aid to mitigate problems connected to PFAS" on a unanimous voice vote.

There was no public comment or customer requests. During the opportunity for Board comment, the issue of the involvement of the Board in capital improvement project planning was raised. G.M. Clemons explained that staff were completing preparatory work and planned to reach out to the Board in the late summer or early fall for individual meetings regarding potential projects.

G.M. Clemons then pointed out the copy of the notice regarding haloacetic acids that was sent to customers serviced by RSA's Wilderness Water System. Unfortunately, the requirement for a notice is based on a 12-month rolling average, so it can take some time to get away from the need for a distribution, especially at present since the third quarter is typically the period with the highest level of occurrence of haloacetic acids. Although the water is normally within compliance levels when it leaves the water treatment plant, heat and time cause an increase in the haloacetic acids level. Flushing can help, and RSA flushes on a regular basis, but too much flushing can become counterproductive. Organic matter such as leaves, tree limbs, etc. that are in the river react with chlorine to produce haloacetic acids. There are measures that can be taken to mitigate the problem by removing more of this naturally occurring organic matter before it enters the water treatment process. Unfortunately, the current water treatment plant was not designed with this in mind. To add the necessary treatment facilities would require additional land on which to build, preferably near the current plant. It was suggested that these issues could be discussed with the Orange County representatives during the upcoming capital improvement project meetings.

G.M. Clemons then brought to the Board's attention the current drought in the area. The severity level in Orange County is moderate to severe, and the drought has been declared severe in Madison County. The primary trigger for a required conservation program would be an emergency drought declaration by the Governor. So far, the situation with the Rapidan river is still fine and RSA is not required to do anything currently. It was pointed out that individual counties can put their own requirements into effect based on their individual situation.

D.O. Jarrell updated the Board regarding progress with various plant improvements. The work on the Madison water plant is on track with the repairs on the concrete structure housing the pre-treatment equipment nearly finished. Next on the agenda is the electrical work, controls equipment work, and a filter rebuild. D.O. Jarrell expects the project to be finished by the end of the year. Work on the Wilderness water plant upgrade is continuing, with the site work nearly finished. The electrical work for the intake pumps is in progress, and the project should be finished soon.

D.O. Jarrell informed the Board that RSA would be receiving a WQIF grant for 90% of the eligible costs for the Madison sewer plant project, which is the greatest level of grant funding available. RSA hopes to receive USDA loan funding for the remainder of the project cost. The engineer is working on final plans. RSA has had no contact with VDOT regarding the use of VDOT right-of-way but could potentially run the discharge line through private property easements.

G.M. Clemons then gave his report. Operating income is lower than was hoped, but expenses are also down slightly. Overall, finances are still fine, although RSA will continue to watch its spending.

Attorney Calos then provided a report to the Board. As mentioned earlier in the meeting, RSA is a participant in the PFAS lawsuit, and Mr. Calos and G.M. Clemons have been working on that. Another lawsuit has been filed which automatically included RSA with no opt-out provision, so no Board action was necessary there. As was authorized at a prior meeting, Mr. Calos and G.M. Clemons have secured an extension of the lease on the West office building.

With no further business to discuss, on a motion by Coppage the meeting was adjourned at 2:26 p.m. on a unanimous voice vote.

Chairman

Faulty Pump/Basement Flood - Edgewood

Nicholle Pearl-Stancell <nichollepearl@gmail.com>

Wed 9/4/2024 3:25 PM

To:RSA Board <rsaboard@Rapidan.org>

Cc:Babe <3 <stancell77@yahoo.com>

Good Afternoon -

We reside in Edgewood Subdivision in Orange County. We have been 'battling' with RSA Water Authority since January regarding flooding of our basement. I wanted to bring it to your attention - maybe you can offer help or a solution.

Behind our house is a pump substation which is maintained by RSA. On January 25th around 7:30PM, my husband, Eric, and I heard a noise and ran down to the basement...water was coming into our basement from a pipe that our AC/Hot water heater drains into. We called a plumber out - he immediately said it was sewer. He snaked the line to our house and that was not the issue - after further investigation on his part, he realized it was the main sewer line. He called RSA and they came out, admitted fault, - one of the neighborhood pumps had malfunctioned and the alarm system that was on the pump also malfunctioned. So, we had sewer water from the entire neighborhood flooding into our house. Not knowing what to do - we called our insurance company and they sent out Jenkins Restoration. Jenkins cleaned everything the next day and then sent an adjuster out to give us an estimate on the damages. They had to tear out all of our baseboards, flooring in the bathroom as well as some carpet in the bedroom/rec room.

On January 26th, I contacted RSA to speak with someone regarding this issue. I was told Joe, the person over our neighborhood was not in, so I left a message. By 2PM, I had not heard from Joe. So, I called back and was given the runaround...Joe was not even in the office at all on that Friday. So, I asked to speak with a higher manager, Tim Clemons, the General Manager. Mr Clemons called my husband back a little while later. Eric explained everything to him. Mr Clemons admitted fault and assured us that he would get this taken care of.

Numerous phone calls/messages later - we still had not heard anything from RSA. On February 21st, it happened again. RSA was out at the pump station all day...I went down in my basement that afternoon - and my basement had been flooded, AGAIN. I called RSA - no one would get on the phone with me. Everyone was 'busy.' So, I drove to the local office...and Joe WAS available (this is the first time I had spoken to Joe as he had never returned any of my phone calls in the last month). I explained everything - he assured me, again, that he would be getting this fixed. They had ordered a new pump and alarm. Joe asked me to send him everything as Mr Clemons was not sure if they would file an insurance claim or pay us out right for the damages. NOW...this is Feb 21st - almost an entire month since the first incident and they had not even spoken to their insurance company!!

So, I asked Joe what he wanted me to do with the water that was in my basement. He said to call the same company that did the clean up before as they did not have anyone they could recommend. So...again...Jenkins came out to do the clean up. This time - the water had gotten under our custom bar, where there is carpet. We were told that they could not remove the bar because RSA insurance would need to see and assess this damage. Jenkins had to remove about a foot of the wall area in the bedroom and closet area as well as tear up more carpet.

On February 27th - after reaching out to Joe myself - he did inform me that the issue with the pump had been resolved; however, the new alarm system had not been put in place and would be fixed in a few weeks...We still do not know if this was ever fixed. (I also believe that my neighbor's basement was flooded as well because of this).

We were finally contacted on February 28th by someone representing VRSA, RSA's insurance; however, their adjuster was not sent out until March 14th...7 weeks after the FIRST incident. Meanwhile, our basement was still a mess and there could be potential mold growing.

On February 29th - the alarm at the pump station was going off. I called at 11:47PM to make them aware but supposedly, from what Joe told me, they are notified as soon as the pump alarm goes off. No one showed up until 1:05 AM to check. That is over an hour - if this same issue had to have happened - my basement would have been flooded again!

We did contact our insurance company and filed two claims, one for each incident. We do not have flood insurance in our policy; however, we do have a clause that states in instances like these we could receive up to \$5,000 for repairs, per claim. We did receive that \$10,000 from OUR insurance company, Progressive.

We received VRSA's estimate for the damages on March 27th, 9 weeks later. But they still did not give us their final numbers until April 17th.

On April 17th, VRSA sent us an email stating "We received a response from Barker Claims. Based on their review, we are offering you \$26,181.24, of which \$16,181.24 will be paid directly to you and \$10,000.00 will be paid to Progressive Insurance in satisfaction of their subrogation demand." We agreed that this number was fair as it would cover all the damages and repairs. VRSA sent over a release of claims on April 17th, in which we signed because, again, we were told everything was taken care of...we were getting the money from their estimate which we agreed upon.

We were under the understanding that the mitigation/clean up invoice was taken care of as we never saw an invoice. Jenkins sent the invoice to our insurance company, Progressive, who sent it to VRSA (RSA's insurance) for approval and payment. Eric asked the rep from Jenkins, Darrick, who we had been dealing with all throughout this if the mitigation was taken care of and Darrick assured Eric that it was already taken care of and we would not be responsible for that (he has that on text message).

Then on April 26th, Eric received an EMAIL from Jenkins for a request of payment and notice of legal actions. This is the FIRST we had heard of or seen an invoice. And again, we thought this would have been taken care of. Eric immediately called Jenkins and spoke with someone and they told him to contact the insurance company. He called Progressive – they said call VRSA, they are responsible. He called VRSA and we contacted Mr. Clemons from RSA. They basically said since we signed the release of claims we are responsible. On May 2nd – We received another EMAIL with notice of a Mechanic Lien on our home from Jenkins.

We are still battling this invoice from Jenkins; however this should NOT fall on us. RSA/RSA's insurance should have to pay this as THEY are the reason that this whole situation happened. We would have NEVER signed ANYTHING had we known that this invoice was not paid. And we did not see the invoice until after the paperwork was signed. Now we are getting threatening documents stating lein's are going to be put on our house. And RSA is basically saying sorry about your luck. TERRIBLE way to do business! If it hadn't been for RSA's faulty pump AND alarm system - we would not have had a flooded basement, twice !

This has been an absolute nightmare to deal with. We could not use half of our house for almost 6 months because of THEIR faulty equipment and now we are stuck with a \$14,000 bill because of THEIR faulty business practices as well as being threatened with legal actions. This, in no way, should be our responsibility!

If you would like to discuss further, please feel free to contact me (540-847-7410) or my husband, Eric, (336-406-9096). I look forward to hearing from you!

Nicholle Stancell



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

www.deq.virginia.gov

Travis A. Voyles
Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus
Director

September 9, 2024

Dear Water Authority Personnel:

DEQ Water Supply Planning Staff would like to alert you to approval of amendments to the Local and Regional Water Supply Planning Regulation [9 VAC 25 780]. Section 62.1-44:38:1 of the Code of Virginia, amended by Chapter 1105 of the 2020 Acts of Assembly, changed certain aspects of the comprehensive water supply planning process and directed the State Water Control Board to adopt regulations designating regional planning areas. Adopted regulations additionally identified the particular regional planning area in which each locality will participate. Finally, the amended regulation requires localities within a regional planning area to submit a single, jointly developed regional water supply plan, and requires that regional water supply plans identify water supply risks and propose regional strategies to address the risks.

In 2021, the Department of Environmental Quality (DEQ) initiated a regulatory process to amend the Local and Regional Water Supply planning regulation [9 VAC 25 780] in response to this change in the statute. DEQ is notifying you that the regulatory process is completed and final amendments will be posted in the Virginia Register on September 9, 2024 with an effective date of October 9, 2024. All localities have been assigned to a Regional Planning Unit, which can be found at the DEQ Water Supply Plan Development webpage (URL found below). Each local government and water authority identified within the regional planning areas of 9VAC25-780-45 is required to provide contact information for a Regional Planning Area (RPU) Representative, and an alternate representative, to DEQ no later than 60 days from the effective date of regulation, December 8, 2024. Alternatively, if a PDC has assumed the RPU role, then contact information should be submitted to the PDC, (and the PDC should submit PDC representative contacts to DEQ). Please provide title, affiliation, phone number, and email. Contact information can be sent directly to DEQ via email at watersupplyplanning@deq.virginia.gov.

Regional Planning Unit kickoff meetings are required to occur prior to April 7, 2025. DEQ staff will coordinate with RPU representatives to schedule kickoff meetings once contact information has been received and documented. DEQ will also distribute information to RPU contacts on limited funding available for regional water resource planning activities. Finally, DEQ staff are drafting regulatory guidance to support plan development and are aiming to share updates on this draft as they become available.

If you have any questions or concerns, please reach out to the Water Supply Planner assigned to your region. Planner contact information, and additional resources, can be found at the Water Supply Plan Development webpage, located at the following URL -

<http://www.deq.virginia.gov/our-programs/water/water-quantity/water-supply-planning/water-supply-plan-development>.

Sincerely,



W. Weedon Cloe III, PWS
Manager, Office of Water Supply
Virginia Department of Environmental Quality
(804) 754-5457
William.Cloe@deq.virginia.gov
1111 E. Main St., Suite 1400
Richmond, VA 23219

cc:, Elizabeth Mckercher, Director of Water Planning Division



Memorandum

To: Rapidan Service Authority Board of Members
From: Trace Gaskins, DoA
CC:
Date: September 11, 2024
Re: Town of Orange Water Rate Adjustment

RSA has done its due diligence concerning the proposed contracted rate change from the Town of Orange. The rate adjustment from the Town of Orange to RSA is going from \$4.215 to \$4.713 per 1,000 gallons, an 11.8% increase. The Town of Orange rate will be effective October 1st, 2024.

Town of Orange

Current \$4.215
Proposed \$4.713

Recommend:

Accept proposed Town of Orange rate

Town of Gordonsville

Current \$6.22

Proposed

Recommend:

Wait for NewGen rate study completion

Rt. 15

Current \$7.34

Proposed

Recommend:

Wait for NewGen rate study completion

RAPIDAN SERVICE AUTHORITY

August-2024

Operating Income	PTD Act	PTD Bud	Variance	YTD Act	YTD Bud	Variance
Water & Sewer Revenue - Madison Co.	48,228	54,417	(6,189)	366,867	435,338	(68,471)
Water & Sewer Revenue - Orange Co.	659,414	645,057	14,357	4,631,825	5,160,458	(528,633)
Sale of Materials & Supplies	1,245	3,250	(2,005)	12,519	26,000	(13,481)
Engr & Maint Revenue	-	2,167	(2,167)	4,550	17,333	(12,783)
Service Fees	-	1,683	(1,683)	-	13,467	(13,467)
Misc. Income	10,197	28,747	(18,550)	220,059	229,973	(9,914)
Service Installations Revenue	11,250	13,250	(2,000)	130,850	106,000	24,850
Total Operating Income	730,334	748,571	(18,237)	5,366,670	5,988,569	(621,899)
Operating Expenses	PTD Act	PTD Bud	Variance	YTD Act	YTD Bud	Variance
Purchased Water	52,203	40,673	(11,529)	340,944	325,388	(15,556)
Operating Labor	204,990	185,249	(19,741)	1,299,499	1,481,995	182,496
New Service Installations	9,921	8,333	(1,588)	98,598	66,667	(31,931)
Locations-Miss Utility	7,988	6,808	(1,180)	48,417	54,467	6,050
Engineering & Maintenance	155,909	131,883	(24,025)	1,189,431	1,055,067	(134,364)
Water Treatment Supp.	88,645	67,467	(21,178)	521,864	539,733	17,870
Utilities	76,203	79,146	2,943	614,516	633,167	18,651
Vehicle Expense	7,689	12,550	4,861	88,484	100,400	11,916
Testing	4,300	7,250	2,950	53,455	58,000	4,545
Biosolids Waste Mgmt	103	4,708	4,606	21,776	37,667	15,891
Miscellaneous	-	166.67	166.67	-	1,333.36	1,333.36
Total Operating Expenses	607,950	544,235	(63,714)	4,276,982	4,353,883	76,901
Gross Margin	122,385	204,336	(81,951)	1,089,688	1,634,686	(544,998)
General & Admin Expenses	PTD Act	PTD Bud	Variance	YTD Act	YTD Bud	Variance
Billing & Collection Exp	11,556	12,208	652	73,173	97,667	24,493
G & A Labor	95,009	90,825	(4,184)	670,081	726,600	56,519
Comp. Board of Members	2,510	3,100	590	17,515	24,800	7,285
Insurance Premiums	1,191	750	(441)	4,901	6,000	1,099
Bank & Credit Card Fees	842	646	(196)	7,576	5,167	(2,409)
Offices Expenses	22,705	8,867	(13,839)	130,802	70,933	(59,868)
Legal/Bond Fees	10,221	5,317	(4,904)	44,399	42,533	(1,865)
Water Regulatory Fees	7,488	5,375	(2,113)	45,644	43,000	(2,644)
Audit & Other Consulting	365	4,792	4,426	16,771	38,333	21,562
Total General & Admin Expenses	151,888	131,879	(20,009)	1,010,862	1,055,034	44,172
Net Operating Income	(29,503)	72,457	(101,960)	78,826	579,652	(500,826)
Non-Operating Income	PTD Act	PTD Bud	Variance	YTD Act	YTD Bud	Variance
Avail. - Water & Sewer - Madison Co.	-	-	-	-	-	-
Avail. - Water & Sewer - Orange Co.	500,000	-	500,000	3,240,000	-	3,240,000
Interest Earned	67,978	25,000	42,978	297,114	200,000	97,114
Non Operating Revenue Cap Contr.	-	-	-	395,509	-	395,509
Insurance Recoveries	-	-	-	3,500	-	3,500
Total Non-Operating Income	567,978	25,000	542,978	3,936,123	200,000	3,736,123
Net Income Before Debt Service	538,475	97,457	441,018	4,014,949	779,652	3,235,296
Debt Service	PTD Act	PTD Bud	Variance	YTD Act	YTD Bud	Variance
Debt Service	-	70,695	70,695	47,480	565,558	518,078
Net Income	538,475	26,762	511,713	3,967,469	214,094	3,753,374