

A regular meeting of the Board of Members of Rapidan Service Authority was held on February 17, 2022 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: Bowman, Coppage, Crozier, Frame, Martin, Yowell
Staff: G.M. Clemons, Director of Operations Jarrell, Director of Administration Gaskins
Attorney: Terry Lynn
Visitors: Mark Heinicke, Dan Goff, Mark Taylor, Clay Jackson, Jonathan Weakley, Media

The agenda for the meeting was adopted on a motion by Crozier, seconded by Yowell and approved unanimously after moving public comment to later in the agenda.

The minutes of the December 16, 2021 meeting were approved on a motion by Crozier, seconded by Coppage and passed with five in favor and one abstention. (Mr. Bowman was not present for the meeting and abstained from voting.)

There was no old business.

Two customer requests were presented:

- 1) A customer in Lake of the Woods had made his payment through his bank which in turn mailed RSA a check. The check was received late. His bank indicated that the check should have been received on time. The customer requested that the late fee be removed. On a motion by Yowell, seconded by Bowman, the Board voted 4-2 to remove the late fee.
- 2) The owner of 110 Harrison Circle requested that charges relating to a water leak he experienced in November 2021 be removed. The leak occurred where the pipe on his side attaches to the copper setter and happened shortly after RSA replaced the meter at the home. On a motion by Crozier, seconded by Coppage, the Board voted unanimously to remove all charges related to the leak.

An opportunity was then given for public comment. Mark Heinicke spoke in favor of Greene County's withdrawal from RSA. A local business owner, Dan Goff, then spoke in favor of Greene County's withdrawal. Mark Taylor then briefly spoke, saying that RSA Attorney Lynn had stated at the January 24 hearing that she did not believe RSA would ever enter into another contract with Greene County to improve anything. Taylor said that was a declaration of how broken the relationship is and he appealed that it is time to end it.

The newest Board member, Stephen Bowman, then introduced himself and gave a synopsis of his background and qualifications. He concluded by stating his intention to work to facilitate Greene County's withdrawal from RSA as quickly as possible.

Mr. Martin then addressed the Board. He expressed frustration that the Greene County Board of Supervisors was being required to formally request the RSA Board to add the facility fee back onto the bill. He then rehashed some of the history leading to this point by reading from a prepared statement he had with him. He stated that if Greene County could separate from RSA, they would not need a facility fee and that they felt RSA's position in the proposed distribution of assets was unreasonable and unfair. He requested that the statement at the bottom of the proposed advertisement for the facility fee public hearing directing readers to contact their Greene County Board of Supervisors representative with questions be removed since the RSA Board had voted to add the facility fee back to the bills rather than allowing Greene County to withdraw. He further asked that a copy of his remarks be included with the minutes of the meeting. (Copy attached)

The Chairman then pointed out that the letter of October 29 from the Virginia Resource Authority had set out a list of conditions which needed to be fulfilled in order for Greene County to withdraw from RSA. The only one of those conditions which directly involves RSA is the one related to mediation. He stated that once Greene County fulfills all of the conditions, he would suspect that VRA will allow them to leave. Mr. Frame then read the letter from the VRA outlining the conditions. (A copy is included with these minutes.) He then reminded Mr. Martin that he had said he would keep the RSA Board updated as to the fulfillment of these requirements, but that he has heard nothing thus far. Mr. Martin replied that the mediation requirement was the most important in his view. Mr. Frame said that the dismissal of all litigation might seem more important to RSA. Mr. Martin said that would happen when the mediation was completed. Mr. Crozier then expressed frustration that Greene County had walked out of mediation but then blamed everything on RSA. Greene County had been wanting the facility fee and then when it was being voted on, the Greene representatives had voted against it. He indicated that he would like to see Greene County out of RSA so that both parties could move on productively. Mr. Yowell asked if VRA had given any indication as to when the RSA Board could expect a letter from them indicating that Greene County had met the requirements to leave. Mr. Martin said that the VRA was waiting for the RSA Board to get behind the plan, although he acknowledged that the only part RSA had in fulfilling the conditions was with regard to mediation. He said that Greene County had gotten a letter of conditional approval from the VRA at RSA's request. Attorney Lynn pointed out that the VRA is not concerned with only money owed but is concerned about RSA's customers and had requested Greene County's proposed rate structure and funding of improvements. VRA is concerned about the customers and not only the providers.

The Chairman moved on to Greene County's request to reinstate the facility fee for Greene County customers. A motion was made by Yowell, seconded by Crozier, and passed unanimously to do so.

A motion was made by Yowell, seconded by Bowman, to delete the language from the proposed advertisement for the public hearing that directed customers to contact their Greene County supervisor if they had questions. After discussion, the motion passed on a vote of 4-2.

GM Clemons gave his report. RSA is wrapping up year-end and preparing for the audit. Capital projects slowed down for the holidays but are picking up again. Martin brought up the question from the last Board meeting about how legal fees relating to the proposed RSA withdrawal were

being allocated and wondered if there was an update on that. After a brief discussion, Crozier pointed out that Robinson, Farmer, & Cox is a well-respected audit firm that has inspected RSA's financial records for a number of years. Since they have never questioned RSA's allocation of these fees, it is a strong indication that they are being handled correctly. A question was raised by Bowman about the Barrington sewer issue. GM Clemons replied that apparently a truck or piece of heavy equipment had run over a valve and damaged it. It has been repaired and reported to DEQ. Yowell raised a question about the project by McDonald's in Madison. The contractor suffered damage to a piece of machinery while working on it. He is waiting on a part. He should have about 2-3 days more work once it is repaired.

A motion to adjourn was made by Coppage at 3:01 PM; the motion was seconded by Crozier and passed unanimously.

Chairman