
**Bedford Regional Water Authority – Board of Directors
Regular Board Meeting – Minutes
April 21, 2020**

A regular meeting of the Board of Directors of the Bedford Regional Water Authority (“Bedford Water”) was held on Tuesday, April 21, 2020 in the Board Meeting Room in Bedford Water’s Annex building located at 1723 Falling Creek Road in Bedford County. As noted below, some of the attendees were present virtually rather than in the meeting room.

Members Present:..... Bob Flynn, Chair
Michael Moldenhauer, Vice Chair
Cynthia Gunnoe
Elmer Hodge (Virtual)
Thomas Segroves
Walter Siehien (Virtual)

Members Absent: Carl Wells

Staff & Counsel Present: . Brian Key – Executive Director
Nathan Carroll – Assistant Executive Director (Virtual)
Jill Underwood – Director of Finance (Virtual)
Megan Aubrey – Director of Administration (Virtual)
Rhonda English – Director of Engineering (Virtual)
Sam Darby – Legal Counsel, GFD&G (Virtual)

1. Call to Order

The meeting was called to order by the Chair at approximately 7:02pm. The Pledge of Allegiance and a moment of silence were conducted. Mr. Key explained how the meeting would work with the virtual meeting and public hearing/comment period.

2. Review of Agenda

The following agenda was reviewed as shown below.

1. Call to Order
 - a. Pledge of Allegiance
 - b. Moment of Silence
2. Review of Agenda
3. Resolution 2020-04.01: Bylaws Revisions
4. Public Hearing for Rate Adjustments
 - a. Presentation about Rates
 - b. Public Comments about Rates
 - c. Resolution 2020-04.02: Rates
5. Public Comments for all issues other than the rate adjustments
6. Approval of Minutes: March 17, 2020 – Regular Board Meeting
7. Financial Report: Presented by Jill Underwood
 - a. Customer Service Summary Report
 - b. Financial Statements through month end March 2020
 - c. Summary of March 12, 2020 Finance Committee Meeting
 - d. Review of Draft Budget for FY 2020-2021
8. Operations Report: Presented by Nathan Carroll

- a. Work Order Summary
 - b. Booster Station Report
 - c. Resolution 2020-04.03: SCADA System Integration Service Contract
9. Administration Report: Presented by Megan Aubrey
- a. Public Relations Information
10. Engineering Report: Presented by Rhonda English
- a. Projects Summary
 - b. Resolution 2020-04.04: Engineering Term Contract Extension Agreements
 - c. Resolution 2020-04.05: Unsolicited PPEA proposal – Ivy Creek Sewer Line
11. Legal Counsel Report
12. Other business not covered on the above agenda
13. Motion to Adjourn

3. **Resolution 2020-04.01: Bylaws Revisions**

Due to the COVID-19 pandemic, the Authority needed to make changes to the BRWA board meeting process to protect the public, the board, and staff, as well as to comply with the intent of the Governor’s executive orders. The Authority’s Bylaws Policy 1.30 did not include provisions for remote participation for meetings; if the Bylaws were not changed, remote participation would not have been allowed. The Authority reviewed the proposed changes to the bylaws, and then took action with the resolution shown below.

WHEREAS, the Bedford Regional Water Authority (the “Authority”) is a public service authority formed and existing in accordance with the provisions of Chapter 51 of Title 15.2 of the Code of Virginia, 1950, as amended, the Virginia Water and Waste Authorities Act §§ 15.2-5100-15.2-5159 (the “Act”); and,

WHEREAS, the Authority is a public body subject to the provisions of the Virginia Freedom of Information Act, §§ 2.2-3700, et seq. of the Code (the “FOIA”); and,

WHEREAS, the Authority wishes to avail itself of the authority established in § 2.2-3708.2 of the FOIA to hold meetings at which one or more of the Directors of the Authority is able to participate remotely by means of electronic communication; and,

WHEREAS, the Board of Directors of the Authority would like to modify the Bylaws Policy 1.30 as presented in order to allow for the participation of its Directors by electronic communication means; now,

THEREFORE, BE IT RESOLVED by the Board of Directors of the Bedford Regional Water Authority that the changes to the above noted policy be hereby adopted by the Authority.

Member Gunnoe made a motion to approve this Resolution.

Member Segroves seconded the motion.

- Board Member Votes: 6 Aye 0 Nay 0 Abstain. The motion carried.

4. **Public Hearing for Rate Adjustments**

- a. Presentation about Rates

Mr. Key gave a short presentation about the rates, discussing the proposed rates and the rate equalization study, along with the special rates for certain subdivisions due to a higher cost of operating. If these rates were approved, the goal would be for increases to be approximately 3% for the average customer using 4,000 gallons per month.

- b. Public Comments about Rates

The public hearing began at approximately 7:13pm.

Mr. Doug Cooke (4347 Halesford Road in Paradise Point) gave a PowerPoint presentation on behalf of the 24 residents in the Paradise Point subdivision. In 2019,

Paradise Point resident and Secretary/ Treasurer Jean Maas began working with the Authority to request a proposal for the BRWA to take ownership of the subdivision's private well system. Authority staff provided a proposal to Ms. Maas. Mr. Cooke provided an alternative proposal changing some of the costs and scenarios that seemed more logical to him (including depreciation schedules, line repair expenses, operator costs, actual consumption calculations, etc.). He asked the board to lower the fixed rate for Paradise Point residents if the system were taken over by the BRWA.

Jean Maas, the secretary/treasurer of Paradise Point, also spoke about the rates for Paradise Point, asking for the proposed rate to be lowered.

The public hearing closed at approximately 7:42pm.

Mr. Flynn asked the board to continue the discussion about Paradise Point at a staff and committee level.

Ms. Gunnoe said that due to the economic state she recommended not approving the rates at this time. Mr. Segroves asked about the timeline for approving rates for next fiscal year. Mr. Key said that the rates would need to be approved at the May board meeting to be effective on June 1, for bills received in July 2020. However, having the rate hearing now allows the board to approve the rates at any point in the future (either at the proposed rates or lower) and that another rate hearing would not be needed if the board would prefer to change the rates sometime during the next fiscal year. Mr. Key noted that the budget has to be adopted no later than at the June board meeting, in accordance with bond covenants. Mr. Moldenhauer and Mr. Hodge also agreed in delaying the approval of the rates.

c. Resolution 2020-04.02: Rates

The board chose not to approve the rates at this time due to the coronavirus pandemic and the uncertainty of its economic implications.

5. Public Comments for all issues other than the rate adjustments

There were no public comments.

6. Approval of Minutes: March 17, 2020 Regular Board Meeting

The regular Board Meeting Minutes from March 17, 2020 were reviewed.

Member Moldenhauer made a motion to approve the minutes.

Member Segroves seconded the motion.

- Board Member Votes: 6 Aye; 0 Nay; 0 Abstain. The motion carried.

7. Financial Report: Presented by Jill Underwood

a. Customer Service Summary Report

Ms. Underwood reported that Line 20 of the report shows the number of repeated disconnects; for March there were 19 cutoffs (5 repeat: 1 in Town and 4 in Forest). These disconnects reflect the first half of March; as of March 16, the Authority voluntarily stopped assessing late fees or disconnecting service for non-payment due to the unknown impact of the coronavirus in the community. The lobby was also closed to the public at that time; however, business transactions have been able to be handled virtually or with some paperwork transactions outside the building in the parking lot.

b. Financial Statements through month end March 2020

Ms. Underwood reviewed some of the details pertaining to the financial reports for the period ending March 2020. The targeted budget goal for March was 75%;

operating revenues were 71%, and operating expenditures were 63%. Capital recovery fees received are 96% of the total budgeted amount, with water at 71% and sewer at 177%.

Staff are monitoring the current budget as it relates to COVID-19 and will make any necessary adjustments to the upcoming fiscal year's budget prior to the Board's adoption. A spending freeze has been implemented on non-essential purchases and work on some capital projects has been discontinued.

c. Summary of March 12, 2020 Finance Committee Meeting

There is a Finance Committee meeting that was scheduled for April 30; Ms. Underwood recommended moving the meeting to May 12 to allow the April financials to be complete and the Finance Committee agreed to this date. Ms. Underwood briefly updated the board about the small changes in the budget since the last board meeting.

d. Review of Draft Budget for FY 2020-2021

Ms. Underwood reviewed the proposed changes to the budget for next fiscal year, which she defined as being conservative. Ms. Underwood recommended delaying the approval of the budget to analyze how the coronavirus will impact the economy and the BRWA's revenue. Mr. Key shared a chart comparing this year's total payments to the past two years.

Mr. Flynn asked staff and the Finance Committee to project the best/worst case scenarios over the next few months to show possible impacts on the proposed budget.

Mr. Key also mentioned that staff is planning for the worst case scenario in regards to staffing and daily operations, despite the fact that none of the employees had been diagnosed with the virus.

8. Operations Report: Presented by Nathan Carroll

a. Work Order Summary

Mr. Carroll explained the changes to the work order report as requested by Mr. Moldenhauer at the last meeting. The report now shows the hours of work broken down by service area along with the number and percentage of work orders completed. Going forward, the report will be shown excluding the meter replacement program or having them in a separate line item to make the report most accurate.

b. Booster Station Report

This booster station project makes use of an emergency connection located in the Town of Bedford and allows the BRWA to pump water in any direction needed in the service areas. This station provides greater redundancy in the system using minimal costs compared to renting a pump.

This project was done at the current time period to prepare for a worst case scenario of the coronavirus impacting the number of operators able to report to work. The project cost approximately \$5,000-\$6,000 to complete, along with repurposing and reusing some supplies already owned. Mr. Carroll reported that this was an extremely efficient use of money and supplies since renting a pump can cost \$3,000-\$4,000 for just a few days.

The station is now operational for the most likely scenario in which it would be used, and other emergency tests can now be conducted as well.

c. Resolution 2020-04.03: SCADA System Integration Service Contract

A Request for Proposals was advertised on eVA, Virginia's eProcurement Portal, and emailed to qualified SCADA system integrators in March 2020. After a four-employee committee reviewed the submitted proposals and conducted interviews of the four system integrators that responded, the committee unanimously agreed to recommend to the board that they approve of the execution of term contracts with Fairwinds Automation, Autologic LLC, DR Controls, and Sunapsys, Inc.

The proposed contracts will be for one year, with the ability for the Authority to renew for up to two successive one year terms. These are term contracts, which give the Authority the ability to select a contractor when needed for projects or routine work; there is no guarantee that any work will be conducted through any of the contractors, and there is no price or fee associated with these specific contracts.

At a regular meeting of the Bedford Regional Water Authority ("Authority") Board of Directors, held in the Board Meeting Room at the Authority's Administrative Annex Building on the 21st of April 2020, beginning at 7:00 p.m.:

WHEREAS, the Bedford Regional Water Authority (the "Authority") is a public service authority formed and existing in accordance with the provisions of Chapter 51 of Title 15.2 of the Code of Virginia, 1950, as amended, the Virginia Water and Waste Authorities Act §§ 15.2-5100-15.2-5159 (the "Act"); and,

WHEREAS, a Selection Committee ("Committee"), comprised of four Authority staff personnel was created for the selection of a SCADA System Integrator for the Bedford Regional Water Authority; and,

WHEREAS, the Committee has followed the guidelines set forth in the Authority's Policy 10.10 – Purchasing by advertising a Request for Proposals and reviewing Statements of Qualifications and soliciting proposals from selected qualified SCADA System Integrators; and,

WHEREAS, the Committee reviewed proposals from SCADA System Integrators on April 14, 2020, and unanimously agreed to recommend to the Board of Directors that they approve of the execution of a contract with Fairwinds Automation, Autologic LLC, DR Controls, and Sunapsys, Inc. as the SCADA System Integrators providing the best value for the Authority; and,

WHEREAS, agreements will be prepared for Fairwinds Automation, Autologic LLC, DR Controls, and Sunapsys Inc. to enter into a one year contracts which provide for the renewal for up to two successive one year terms to provide SCADA and integration services as authorized by the Authority; and,

WHEREAS, the Executive Director concurs with the committee's recommendation, and recommends the award of the Contracts; now,

THEREFORE, BE IT RESOLVED, that the Board of Directors does hereby authorize the Assistant Executive Director to execute individual contracts with Fairwinds Automation, Autologic LLC, DR Controls, and Sunapsys Inc. for SCADA System Integration Services.

Member Gunnoe made a motion to approve this Resolution.

Member Segroves seconded the motion.

- Board Member Votes: 6 Aye; 0 Nay; 0 Abstain. The motion carried.

9. Administration Report: Presented by Megan Aubrey

a. Public Relations Information

Ms. Aubrey discussed the social media statistics and the increase in engagement online since beginning to post about the coronavirus on March 16. This will have lasting results on the Authority's social media following and engagement. There have been some positive relationships enhanced due to the pandemic, including Ms. Aubrey assisting as Public Information Officer for Bedford County for a short period of time. Ms. Aubrey will also communicate with the public about the board's delay in approving the rates and any rate changes in the future.

10. Engineering Report: Presented by Rhonda English

a. Projects Summary

A steady stream of projects and submittals are still coming into the Authority, mainly in our Forest service area, which does cause some concern about the capacity for sewer in that area.

b. Resolution 2020-04.04: Engineering Term Contract Extension Agreements

The Authority has a term agreement with four engineering firms; the agreements are for one year terms, renewable four times. The agreements are up for renewal, and with this resolution the Authority would be able to continue to contract with these four firms.

Included with the resolution is an example 'Extension of Agreement for Engineering Services under a Term Contract' which would be executed with the firms CHA, Hurt & Proffitt, Wiley|Wilson and WRA. As most consultant rate schedules are confidential, these can be made available for review at or prior to the Board meeting if so requested.

At a regular meeting of the Bedford Regional Water Authority ("Authority") Board of Directors, held in the Board Meeting Room at the Authority's Administrative Annex Building on the 21st of April 2020, beginning at 7:00pm

WHEREAS, the current Agreements for Engineering Services for CHA Consulting, Inc., Hurt & Proffitt, Inc., Wiley|Wilson, and Whitman, Requardt & Associates, Inc. expired on April 19, 2020; and,

WHEREAS, the Engineering department has prepared Extensions of Agreements for Engineering Services for CHA Consulting, Inc., Hurt & Proffitt, Inc., Wiley|Wilson, and Whitman, Requardt & Associates, Inc. to extend services until April 19, 2021; and,

WHEREAS, the Agreements for Engineering Services dated April 19, 2016, allow for the extension of up to four one-year terms; and,

WHEREAS, the Term Contracts for Engineering Services must be extended to allow for continued services with the Engineering Consultants to complete select projects for the Authority's Capital Improvement Program and provide consultant assistance to the Engineering Department; now,

THEREFORE, BE IT RESOLVED, that the Bedford Regional Water Authority Board of Directors authorize the Director of Engineering to execute the necessary agreements to extend the contracts with CHA Consulting, Inc., Hurt & Proffitt, Inc., Wiley|Wilson, and Whitman, Requardt & Associates, Inc. for one additional term.

Member Moldenhauer made a motion to approve this Resolution.

Member Gunnoe seconded the motion.

- Board Member Votes: 6 Aye; 0 Nay; 0 Abstain. The motion carried.

c. Resolution 2020-04.05: Unsolicited PPEA proposal – Ivy Creek Sewer Line

The Authority has received an unsolicited proposal for the design and construction of the Ivy Creek sewer line and the construction of the Route 460 water booster station. The following resolution is for acceptance of the submitted proposal for further review, and to provide public notice allowing other groups to provide similar competing submissions.

Approval of this resolution will not require the project to move forward, yet it will give staff the opportunity to provide review of the conceptual proposal of the project for its merit, along with any forthcoming competing proposals, to present to the Board at a later date. Per the PPEA policy, proposals will be returned to the submitter if the Authority chooses not to accept the submission for consideration.

At a regular meeting of the Bedford Regional Water Authority (“Authority”) Board of Directors, held in the Board Meeting Room at the Authority’s Administrative Annex Building on the 21st of April 2020, beginning at 7:00pm

WHEREAS, an unsolicited proposal (“Proposal”) was submitted to the Authority under the Public-Private Education Facilities and Infrastructure Act (“PPEA”) from Garney Companies, Inc. for the Ivy Creek Interceptor, Divisions 5 and 6, and the Route 460 Pump Station (“Project”); and,

WHEREAS, the Ivy Creek Interceptor has been identified as a future capital improvement project by the Authority with a Preliminary Engineering Report completed for the project in February 2020; and,

WHEREAS, the Route 460 Pump Station project is included in the Authority’s current Capital Improvement Projects with funding proposed through 2015 Bond Residuals; and,

WHEREAS, the Authority’s policy Document 4.45 – Public-Private Education Facilities and Infrastructure Guidelines (“Policy”) requires prompt determination of the acceptance of unsolicited proposals for publication and conceptual-phase consideration; now,

THEREFORE, BE IT RESOLVED, that the Bedford Regional Water Authority Board of Directors authorize the Director of Engineering to accept the Proposal from Garney Companies, Inc., and for the Director of Engineering to serve as the primary contact for the Project, and to ensure that the Authority provides public notice in accordance with the Policy.

Member Gunnoe made a motion to approve this Resolution.

Member Segroves seconded the motion.

- Board Member Votes: 6 Aye; 0 Nay; 0 Abstain. The motion carried.

11. Legal Counsel Report

Mr. Darby has been working to remove the liens with the banks to allow the Mariner’s Landing acquisition to proceed. The goal is to have these transactions completed by May 1 to allow the Authority to take ownership on that date. Mr. Key asked Ms. Underwood to confirm with Customer Service that the Authority would be ready to take over service on May 1.

Mr. Key asked if Mr. Darby had heard any legislative updates about the possibility of holding virtual public meetings during a declared state of emergency. Mr. Darby said that this has not yet been passed. Due to the board holding a virtual meeting in March, Mr. Darby suggested the board ratify the actions taken in the March 17, 2020 board meeting.

Member Gunnoe made a motion to ratify the actions taken at the March 17, 2020 board meeting.

Member Moldenhauer seconded the motion.

- Board Member Votes: 6 Aye; 0 Nay; 0 Abstain. The motion carried.

12. Other Business

Mr. Key stated that leadership has been communicating regularly with staff about the coronavirus and its impact on them, the Authority, and the community. Mr. Key also spoke about how employees are adjusting to working from home or in the field more, utilizing technology better, and that staff are beginning to think about how to reopen the office and come back to work when the time is appropriate.

13. Motion to Adjourn:

There being no further business to discuss, Mr. Moldenhauer made a motion to adjourn and Mr. Segroves seconded the motion.

- Board member votes: 6 Aye; 0 Nay; 0 Abstain. The motion carried.

The meeting adjourned at approximately 8:55pm.

Prepared by Megan Aubrey – Director of Administration
Approved: May 19, 2020