

AMHERST COUNTY SERVICE AUTHORITY BOARD

MINUTES

A G E N D A

December 6, 2016
ADMINISTRATION BUILDING - 153 WASHINGTON STREET - SCHOOL BOARD ROOM
11:00 A.M.

- I. **Call to Order**
- II. **Approval of Agenda**
- III. **Approval of Minutes**
 - A. November 1, 2016
- IV. **Monthly Financial Report**
 - A. October 2016
- V. **Adjusting Off Bad Debts**
- VI. **Amendment - Appropriations, 2017 Budget, OTMH Construction Ready Sewer Line Rehabilitation Work and Associated Community Development Block Grant Application**
- VII. **Assistant Director's 2nd Three Month Activities Report**
- VIII. **Projected Bond Issue Projects, 2020-2025**
- IX. **Commonwealth's Undertaking Of A Preliminary Engineering Report (PER) Concerning Potential Long Term Utilities Service For The Lower Rapidan Campus Of Central Virginia Training Center (CVTC)**
- X. **Matters from the Members of the Service Authority Board**
- XI. **Closed Session**
 - A. Pursuant to §2.2-3711 (A)(3) of the Code of Virginia, to discuss the disposition of publicly-held real property, where discussion in open session would adversely affect the County's bargaining position or negotiating strategy.
- XII. **Adjournment**

MINUTES

At a regular meeting of the Amherst County Service Authority Board and held at the Amherst County Administration building on Tuesday, the 6th day of December, 2016, at 11:00 a.m., the following members were present:

SERVICE AUTHORITY BOARD:

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PRESENT: John A. Marks, Jr., Chairman
 David W. Pugh, Jr., Vice-Chair
 Claudia D. Tucker, Supervisor
 L. J. Ayers, III, Supervisor
 Kenneth M. Campbell, Supervisor

ABSENT: None

STAFF PRESENT: Authority Secretary Dean C. Rodgers; Authority Deputy Secretary David R. Proffitt; Director of Public Utilities Dan E. French; Assistant Director Robert A. Hopkins; and Executive Administrative Assistant Regina Rice

I. Call to Order

Chairman Marks called the meeting to order at 11:00 a.m.

II. Approval of Agenda

By motion of Supervisor Tucker and with the following vote, the Board approved the December 6, 2016 Agenda.

AYE: Mr. Marks, Mr. Pugh, Mrs. Tucker, Mr. Ayers and Mr. Campbell
 NAY: None
 ABSTAIN: None

III. Approval of Minutes

A. November 1, 2016

By motion of Vice-Chair Pugh and with the following vote, the Board approved the Minutes for November 1, 2016.

AYE: Mr. Marks, Mr. Pugh, Mrs. Tucker,
 Mr. Ayers and Mr. Campbell
 NAY: None
 ABSTAIN: None

IV. Monthly Financial Report

A. October 2016

Chairman Marks asked about Prism Contractors on page 4 of the Financial Report. Mr. French advised this was work done relining manholes and sewer lines with a corrosion resistant relining material.

V. Adjusting Bad Debts

Mr. French advised the auditors have asked ACSA to adjust write-off of bad debts over three years old. The total amount of this adjustment is \$23,940.13.

By motion of Supervisor Tucker and with the following vote, the Board accepted the recommendation to write-off bad debts in the amount of \$23,940.13.

AYE: Mr. Marks, Mr. Pugh, Mrs. Tucker, Mr. Ayers and Mr. Campbell
 NAY: None
 ABSTAIN: None

VI. Amendment - Appropriations, 2017 Budget, OTMH Construction Ready Sewer Line Rehabilitation Work and Associated Community Development Block Grant Application

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Mr. French requested a motion by the Board for an appropriation amendment to the 2017 budget for the Old Town Madison Heights Construction Ready sewer line rehabilitation work Community Development Block Grant Application.

By motion of Supervisor Ayers and with the following vote, the Board amended the CY2017 ACSA Budget to include the following lines and appropriations:

<u>Line Title</u>	<u>Amount</u>
OTMH CDBG C/R S/L – Application	9,600
OTMH CDBG C/R S/L – Prof. Serv.	67,400
OTMH CDBG C/R S/L – Contractor	0

AYE: Mr. Marks, Mr. Pugh, Mrs. Tucker, Mr. Ayers and Mr. Campbell

NAY: None

ABSTAIN: None

VII. Assistant Director's 2nd Three Month Activities Report

Mr. Hopkins addressed the Board regarding several items on the activities report; commented on a pilot program using remote wireless monitoring equipment on the water tanks and pump stations; provided an update on the Corps of Engineers and the repair of the James River bank; and updated the Board on the easements with the Lee family and Central Virginia Training Center.

VIII. Projected Bond Issue Projects, 2020-2025

Mr. French presented information regarding short and long term utilities bond funding in the next ten years.

Mr. French believed it was appropriate to point out those capital projects in the next ten years and provided the Board with the following preliminary estimated costs:

1. Reservoir Dam Crest Elevation Adjustment	\$ 3,700,000
2. Wms. Run Pump Station Technology Upgrade	3,000,000
3. NW Madison Heights Phase 1 Sewers	<u>3,200,000</u>
	\$9,900,000

IX. Commonwealth's Undertaking Of A Preliminary Engineering Report (PER) Concerning Potential Long Term Utilities Service For The Lower Rapidan Campus Of Central Virginia Training Center (CVTC)

Mr. French provided the Board an article published in the Amherst New Era-Progress on November 24, 2016 regarding the transfer of individuals from CVTC. (See Attachment 1)

Mr. French advised that copies of Hurt & Proffitt's Preliminary Engineering Report (PER) of December 5, 2014 summarized CVTC's existing water & sewer utilities for ACSA and had been previously provided to Senator Steve Newman's staff, as well as the ACSA Board and the County's EDA Board.

Mr. French said he was contacted by a consulting engineer retained by the Commonwealth, requesting information about ACSA utilities in the CVTC area. Mr. French advised he provided information to the consulting engineer which was included in an earlier PER outlining water/wastewater utility concerns. Mr. French advised he had received confirmation the Commonwealth was examining alternatives for providing water/wastewater utility service to the Lower Rapidan Campus if retained.

Mr. French advised if a new PER report is produced, he will provide copies to the Board, County staff and EDA.

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Supervisor Tucker said she was concerned with all of the moving parts of this issue and the need for coordination regarding a “good” impact for the County and asked who would be the gatekeeper for this.

Mr. Rodgers said that CVTC is in a manpower crisis and moving to schedule its closure in 2018-2019. He said that Senator Newman is focused on caring for the people and the lower Rappian Campus but not on economic development as the County is.

Mr. Rodgers said Senator Newman sees a possibility of getting a portion of the campus declared excess immediately. Mr. Rodgers indicated it would be important to get those families to support this and help the state to get top dollar for this property so what is sold will go into a trust fund for those families.

X. Matters from the Members of the Service Authority Board

Supervisor Campbell had no matter to discuss.

Supervisor Ayers had no matter to discuss.

Supervisor Tucker had no matter to discuss.

Vice-Chair Pugh had no matter to discuss.

Chairman Marks had no matter to discuss.

XI. Closed Session

Supervisor Campbell moved that the Amherst County Service Authority Board convene in closed session:

A. Pursuant to §2.2-3711 (A)(3) of the Code of Virginia, to discuss the disposition of publicly-held real property, where discussion in open session would adversely affect the County's bargaining position or negotiating strategy.

Supervisor Campbell motioned to come out of closed session and was approved with the following vote:

AYE:	Mr. Marks, Mr. Pugh, Mrs. Tucker, Mr. Ayers and Mr. Campbell
NAY:	None
ABSTAIN:	None

CERTIFICATION OF CLOSED MEETING

Supervisor Campbell moved that the Amherst County Board of Supervisors certify by a recorded vote that, to the best of each Board member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed session were heard, discussed, or considered in the closed session.

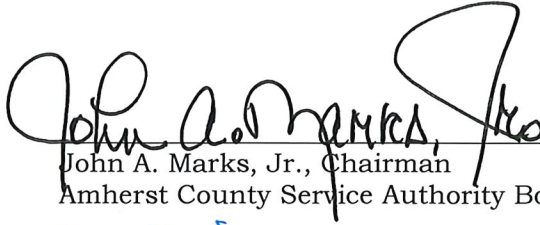
Mr. Marks	AYE
Mr. Pugh	AYE
Mrs. Tucker	AYE
Mr. Ayers	AYE
Mr. Campbell	AYE

XII. Adjournment

By motion of Supervisor Ayers and with the following vote, the Board moved to adjourn.

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AYE: Mr. Marks, Mr. Pugh, Mrs. Tucker, Mr. Ayers and Mr. Campbell
NAY: None
ABSTAIN: None



John A. Marks, Jr., Chairman
Amherst County Service Authority Board



Dean C. Rodgers, Secretary

Newman: Va. at risk of lawsuit over CVTC

BY ALEX ROHR
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Transferring "fragile" individuals from Central Virginia Training Center could open the commonwealth up to a lawsuit if any of them is injured, state Sen. Steve Newman said last week.

Newman, R-Bedford County, and Del. Scott Garrett, R-Lynchburg, sent a letter to Secretary of Health and Human Resources William Hazel on Oct. 24 asking him to slow down part of the plan to close the Madison Heights facility housing people with severe intellectual and developmental disabilities.

In August, the Department of Behavioral Health and Developmental Services surprised guardians of residents at CVTC in announcing the department would reclassify beds, lowering the level of care at Building 31 by the end of the year because of a nursing shortage.

As a result, at least six residents and their guardians faced a choice of accepting a lower level of care, transferring across the state or moving into a group home, which many CVTC families consider inferior care. DBHDS plans to close Building 31 by the end of December 2017 as the plan progresses to shutter the facility in 2020 after an agreement with the Department of Justice.

"I'm fairly convinced that if we move forward with closure without having the hospital-type beds surrounding a number of these individuals that

we will be making a decision to increase mortality, and I believe that is morally wrong, and I just can't stand for that," Newman said. "If we end up moving some of these people out of that facility to a facility that is not capable of taking care of them, and there are negative outcomes, then I think that the commonwealth should be responsible for those outcomes."

The commonwealth has put itself in a position to forfeit sovereign immunity, which protects governments from civil lawsuits, Newman said. The individuals whose departure from CVTC was sped up recently are among "the most fragile," he said.

The Department of Behavioral Health and Developmental Services, which was handling the response letter for the secretariat, was still in the process of preparing it last Wednesday.

Newman talked with Hazel personally after sending the letter, he said. Newman expected DBHDS to continue plans for CVTC as scheduled.

"They're going to de-rate that facility," Newman said.

Family members of people who reside at CVTC say the process has been rushed, that they have been bullied toward accepting lower quality care outside the training center and that they have a choice to stay, according to a list of concerns attached to the legislators' letter. The concerns mirror those family members have made since the closure was announced.

