



RWSA BOARD OF DIRECTORS
Minutes of Regular Meeting
April 27, 2021

A regular meeting of the Rivanna Water and Sewer Authority (RWSA) Board of Directors was held on Tuesday, April 27, 2021 at 2:15 p.m. via Zoom.

Board Members Present: Mike Gaffney, Dr. Liz Palmer, Jeff Richardson, Lauren Hildebrand, Gary O’Connell, Chip Boyles, Lloyd Snook.

Board Members Absent: none.

Rivanna Staff Present: Bill Mawyer, Katie McIlwee, Lonnie Wood, Jennifer Whitaker, David Tungate, John Hull, Andrea Bowles.

Attorney(s) Present: Valerie Long.

1. CALL TO ORDER

Mr. Gaffney called the April 27, 2021 regular meeting of the Rivanna Water and Sewer Authority to order at 2:17 p.m.

Mr. Mawyer noted that rather than Ms. Carrie Stanton, Ms. Valerie Long would be filling the role of the RWSA Board attorney today.

2. STATEMENT FROM THE CHAIR

Mr. Gaffney read the following statement aloud:

“This is Mike Gaffney, Chair of the Rivanna Water and Sewer Authority.

“I would like to call the April 27, 2021 meeting of the Board of Directors to order.

“Notwithstanding any provision in our Bylaws to the contrary, as permitted under the City of Charlottesville’s Continuity of Government Ordinance adopted on March 25, 2020, Albemarle County’s Continuity of Government Ordinance adopted on April 15th, 2020, and revised effective October 1, 2020 and Chapter 1283 of the 2020 Acts of the Virginia Assembly effective April 24, 2020, we are holding this meeting by real time electronic means with no board member physically present at a single, central location.

“All board members are participating electronically. This meeting is being held pursuant to the second resolution of the City’s Continuity of Government Ordinance and Section 6 of the County’s revised Continuity of Government Ordinance. All board members will identify themselves and state their physical location by electronic means during the roll call which we will hold next. I note for the record that the public has real time audio-visual access to this meeting over Zoom as provided in the lawfully posted meeting notice and real time audio access over telephone, which is also

46 contained in the notice. The public is always invited to send questions, comments, and suggestions
47 to the Board through Bill Mawyer, the Authority’s Executive Director, at any time.”

48
49 Mr. Gaffney called the roll.

50
51 Mr. Chip Boyles stated he was located at 605 East Main Street.

52
53 Ms. Lauren Hildebrand stated she was located at 305 4th Street Northwest in Charlottesville, VA.

54
55 Mr. Gary O’Connell stated he was located at 168 Spotnap Road (ACSA offices).

56
57 Dr. Liz Palmer stated she was located at her home address of 2958 Mechum Banks Drive,
58 Charlottesville, VA 22901.

59
60 Mr. Jeff Richardson stated he was located at the County Administration Building at 401 McIntire
61 Road in Charlottesville.

62
63 Mr. Lloyd Snook stated he was located at 408 East Market Street in Charlottesville.

64
65 Mr. Mike Gaffney stated he was located at 3180 Dundee Road in Earlysville, VA.

66
67 Mr. Gaffney stated the following Authority staff members were joining the meeting electronically:
68 Bill Mawyer, Lonnie Wood, Jennifer Whitaker, David Tungate, Andrea Bowles, John Hull, and
69 Katie McIlwee.

70
71 Mr. Gaffney stated they were also joined electronically by Ms. Valerie Long, Counsel to the
72 Authority.

73
74 **3. MINUTES OF PREVIOUS BOARD MEETINGS**

75 *a. Minutes of Regular Board Meeting on March 23, 2021*

76
77 **Dr. Palmer moved that the board approve the minutes of the previous board meeting. The**
78 **motion was seconded by Mr. Richardson and passed unanimously (6-0). (Mr. Snook**
79 **abstained.)**

80
81 **4. RECOGNITIONS**

82 There were no recognitions.

83
84 **5. EXECUTIVE DIRECTOR’S REPORT**

85 Mr. Mawyer stated 80% of Water Sewer staff had signed up to receive vaccinations, and almost
86 all of those who have signed up (about 98%) have received one or more vaccinations.

87
88 Mr. Mawyer stated management staff received “Incident Investigation” training from the
89 Virginia Risk Sharing Association, which is the RWSA’s risk insurance carrier and provides the
90 training as a benefit to the authority.

91

92 Mr. Mawyer stated with the RWSA’s strategic plan goal of Infrastructure and Master Planning,
93 they continue to work with Charlottesville Department of Utilities and the Albemarle County
94 Service Authority staff to refine a route through the City that is planned for a 24-inch finished
95 waterline called the “Central Waterline.” He stated they continue to make progress on this major
96 project.

97
98 Mr. Mawyer stated that the same group is looking at the North Rivanna Water Treatment Plant
99 and whether it is more cost effective to do a major renovation to that plant in the coming years or
100 if they would decommission it and transfer the resource to the South Rivanna Water Treatment
101 Plant. He stated they will make a presentation to the board in the coming months.

102
103 Mr. Mawyer stated the Albemarle County School Board granted a one-mile easement for the
104 Rivanna Reservoir to Ragged Mountain waterline project. He presented a new map of the
105 waterline, noting that the dark black lines are the easements that have been obtained.

106
107 Mr. Mawyer stated the small green area near the South Rivanna Water Treatment Plant denotes
108 two properties where the RWSA is working with private owners. He stated these are in the
109 process of being sold, so RWSA is working with both the former and new owners to obtain
110 easements. He stated the next green area on the map, near Albemarle High School to the north of
111 Barracks Road, is a farm and RWSA is working with the resident to reach an agreement on an
112 easement. He stated the blue lines on the map are properties owned by the UVA Foundation. He
113 stated these are the major spots left to complete for the Rivanna-to-Ragged waterline.

114
115 Mr. Mawyer added that RWSA is also working on the Ragged Mountain to Observatory
116 waterline replacement, which will precede the Rivanna-to-Ragged waterline. He stated starting at
117 the Ragged Mountain Reservoir, then going all the way to the treatment plant will be RWSA’s
118 first phase of the project to start in a couple of years. He stated they are working with UVA on
119 this because it traverses around Observatory Mountain on its way to the treatment plant.

120
121 Mr. Mawyer stated RWSA is pleased to get the latest easement from the Albemarle School
122 Board, and they are working with the UVA Foundation to try to complete an agreement on the
123 properties they own, as well as with private entities.

124
125 Mr. Mawyer stated in 2017 during the drought, an issue was discovered with the South Rivanna
126 Dam gates. He stated RWSA found they had leakage from the two gates at the dam at the South
127 Rivanna Reservoir. He stated this month, they completed repairs to those gates. He stated they
128 did not need to be replaced, but new seals had to be put on the bottom, as well as new
129 attachments to the stem with which they can open and close the gates.

130
131 Mr. Mawyer stated staff took a walking tour with the Clarke Family for the Beaver Creek Raw
132 Water Pump Station. He stated the family has spoken to the Board in the past about the
133 prospective pump station sites and their preference of where the pump station is to be located. He
134 stated the family invited RWSA to come out to walk the property with them, which they did
135 recently, and it was a nice walk around. He stated RWSA hopes to bring some information to the
136 Board in the coming months about which site they prefer and get input. The Natural Resources

137 Conservation Service (NRCS) is also involved and they must work through the federal process in
138 hopes they will receive federal funding for the project.

139
140 Mr. Mawyer stated that with regards to the Communication and Collaboration strategic goal,
141 RWSA held its third annual Northwest Central Virginia Utility Managers Conference, and there
142 were managers from Culpeper, Charlottesville, Augusta, Louisa, and Harrisonburg in attendance.

143
144 Mr. Mawyer stated RWSA assisted Mr. O'Connell and gave a tour of the Scottsville Water and
145 Wastewater Plants to Supervisor Donna Price recently. He stated he also recently spoke to the
146 Scottsville Town Council to provide them an overview of the drinking water and wastewater
147 treatment facilities that RWSA manages that serve the town.

148
149 Mr. Mawyer stated RWSA recently completed its fourth annual testing of its reservoirs and
150 water treatment plants for per- and polyfluorinated alkaline compounds (PFAS). He stated these
151 are chemicals that are found everywhere in places such as fast-food wrapping paper, pizza boxes,
152 carpet, and waterproof clothing. He stated RWSA's testing event was non-detect, meaning they
153 did not detect any PFAS in any of its raw or finished water. He stated they had detected a very
154 small amount in 2020, and they were pleased that in 2021, there was none detected in their water
155 sources, nor in their finished water.

156
157 Mr. Mawyer stated RWSA recently optimized by contracting with a firm with which they can
158 electronically file their easements and other documents with the Clerk of the Court, so they do
159 not have to take them there and record them by hand. He stated RWSA maintains control of the
160 originals rather than having to turn them into the court, then have them mailed back. He stated
161 there have been a few challenges lately with the mail service, so RWSA is pleased to have gotten
162 this electronic filing service in place.

163
164 Dr. Palmer asked Mr. Mawyer if he could go back to the picture of the pipeline. She asked in
165 terms of the line from Ragged Mountain to Observatory Hill, where there is a small green spot
166 for private and a purple spot for public, if the green is going right along Reservoir Road.

167
168 Mr. Mawyer replied yes.

169
170 Dr. Palmer stated she assumed the purple was VDOT.

171
172 Mr. Mawyer replied it was owned by the Department of Forestry.

173
174 Dr. Palmer recalled Mr. Mawyer telling the board before that it was the Department of Forestry.

175
176 Mr. Mawyer noted they would be boring under Route 29 to a location near the research park,
177 which is why there is some VDOT frontage. He stated the orange on the map was UVA in front
178 of the research park. He stated the line then crosses under Fontaine and goes up and around
179 Observatory Mountain to the Observatory WTP.

180
181 Dr. Palmer pointed out that the purple is on the west side of Route 29. She asked Mr. Mawyer if
182 he was saying that this was the Forestry Department land.

183
184 Mr. Mawyer replied that this was correct. He stated Forestry has a small piece of property there
185 that RWSA must cross. He stated therefore, it is labeled as public property on the map. He added
186 that this is the section they will build first in their CIP plan, from Ragged to Observatory. He
187 stated they will build the new pump station at the intersection of the two blue lines on the map.
188 He stated this is where the new pump station will be, and it will pump water from Ragged to
189 Observatory and, as well, it would pump water from Ragged back to the South Rivanna
190 Treatment Plant. He stated this work will begin as soon as 2023.

191
192 **6. ITEMS FROM THE PUBLIC**

193 Mr. Gaffney opened the meeting to the public.

194
195 Mr. Hull stated there were no speakers signed up for the day.

196
197 Ms. McIlwee stated there was one comment submitted via email, which she would read aloud.
198 She stated this comment was submitted by Ms. Nancy Chamberlin, resident of 1358 Allen Farm
199 Lane. She read the email aloud:

200
201 “There are many contradictory and missing details in the August 2020 and March 2021 RWSA
202 meeting packages that raise a number of questions:

203
204 “1. When was the most recent structural analysis of the bridge on Allen Farm Lane conducted
205 and how do we obtain a copy of it? The package for the August 25, 2020 RWSA meeting (Buck
206 Mountain Land Use Maser Plan) states that the bridge is structurally sound, but the March 23,
207 2021 package (Memo re Buck Mountain Property Management) implies that it is not. Was an
208 analysis performed between those two dates?

209
210 “From the August 25, 2020 meeting notes, it looks like a structural analysis of the bridge was
211 commissioned in 2005 and 2019, so is 2019 the most recent one? Also, the recommendation in
212 the latest meeting notes is to "remove the bridge in 2024, after mitigation plan acceptance."
213 Acceptance by whom, the residents or just the RWSA? Either way, just getting rid of the bridge
214 altogether makes no sense.

215
216 “2. How would rerouting Allen Farm traffic through Catterton Road make sense? First, Allen
217 Farm residents have a non-exclusive right of way (as shown on County plats) out to Route 666
218 via Allen Road. Second, the part of Allen Farm Lane going towards Catterton Road is basically a
219 dirt path with no gravel and would require a substantial investment to make it an appropriate
220 access route. Third, going out that way would add substantial time/mileage for residents when
221 going to the store or other places of business.

222
223 “3. If RWSA is not responsible for the maintenance of the bridge, why would they have the
224 power to decide how to address any needed repairs? The package for the August 25, 2020

225 RWSA meeting (Buck Mountain Land Use Master Plan) states that RWSA, as owner, is
226 responsible for the bridge and then later, in the same paragraph, states it is not responsible.

227
228 “Not having a written agreement from RWSA about the maintenance of the bridge (as noted in
229 the March 23, 2021 meeting minutes) was probably the result of the property owners being
230 forced to sell. Maintenance of property typically falls on the owner, unless otherwise specified. If
231 RWSA is not responsible for the upkeep (or cost) of the bridge, then the residents should have
232 the final say on when, where, how, and by whom it's replaced.

233
234 “4. What was the purpose and cost for planting those 40,000 trees? Based on my observations,
235 at least 80 percent of them did not survive. Left behind are many unsightly plastic tubes with
236 wooden stakes (photo attached).

237
238 “Also, what would be the purpose (and cost) of installing fencing on both sides near the bridge
239 (brought up in the minutes of the 3-23-21 meeting)? Allen Farm Lane is narrow, and this could
240 make it difficult for passing vehicles to get out of each other’s way.

241
242 “Suggestion: Since the site was determined to be inappropriate for RWSA’s planned purpose, the
243 prudent, just, and moral resolution is to return the land to the original property owners at the
244 price at which they sold it. For RWSA, this course of action would:

- 245 • Eliminate any future expenses by RWSA for maintaining the property
- 246 • Return responsibility for maintenance of the bridge to the residents, including
247 responsibility for any potential liability issues
- 248 • Support RWSA’s goal of environmental stewardship and its standing as a non-profit
249 agency.

250
251 “For Allen Farm residents, along with the James River spiny mussel, it would allow them to
252 continue their peaceful enjoyment of the property.”

253
254 Mr. Gaffney closed Items from the Public.

255
256 **7. RESPONSES TO PUBLIC COMMENT**

257 Mr. Mawyer stated Ms. Andrea Bowles talked to Ms. Chamberlin that morning to help her with
258 her questions and explain the process RWSA is working through. He stated they do not have all
259 the answers yet in terms of what they will do with the bridge and the road, and they are currently
260 working with Ms. Valerie Long on the legal issues. He stated RWSA will be glad to provide all
261 the structural reports that they have. He stated they have two reports – one that was done in 2005,
262 and one in 2019. He stated in between that time, they did do a repair to the bridge to try to
263 correct some concrete spalling and structural issues.

264
265 Mr. Mawyer stated that as far as the 2020 master plan, the engineering consultant that helped the
266 architectural consultant did have a comment about the bridge being structurally deficient

267 regarding VDOT standards. He stated this had not been thought of as a structural analysis, but
268 there were comments in the recent master plan about the structural sufficiency of the bridge.
269

270 Mr. Mawyer stated RWSA is talking to Ms. Chamberlin about these issues. He stated it is of
271 interest to RWSA when Ms. Chamberlin says there is a non-exclusive right-of-way that she has
272 on County plats. He stated Ms. Long is looking into this issue with the other legal documents
273 RWSA is obtaining. He stated he believes RWSA is responsible for the bridge since it is on their
274 property, and Ms. Bowles explained to Ms. Chamberlin that they planted the 40,000 trees as part
275 of the mitigation of the Ragged Mountain Dam project. He stated it feels as if they have many
276 more living trees than what Ms. Chamberlin indicated, and the tubes and tree planting were all
277 part of the mitigation project.

278
279 Mr. Mawyer stated Ms. Chamberlin suggests that RWSA should sell the property back to the
280 original owners. He stated clearly, if they can carve off property and sell the property and bridge
281 back to someone, RWSA would probably be interested in that.

282
283 Mr. Mawyer stated RWSA is currently working on all these aspects, and he is sure they will
284 bring another report back to the board in the coming months as they make progress and come up
285 with plans and recommendations for the bridge, road, and other properties at Buck Mountain.
286

287 Dr. Palmer asked Ms. McIlwee if she could share this letter with the board. She stated one thing
288 she believes the Board of Supervisors will be very interested in is information on removing those
289 development rights from that property, since she does not think they will want a lot of houses
290 built. She stated there is value in maintaining the watershed, and she thinks the Board of
291 Supervisors would be interested in understanding what that would mean. She stated she believed
292 that the last time the Board discussed this, they were told there was an option for RWSA to do
293 that.

294
295 Mr. Gaffney asked Mr. Mawyer if they could also ask Ms. Bowles at a future meeting to give the
296 board an update on the trees and a better proximation of how they are faring in that area.
297

298 Ms. Bowles stated she could provide some information about this. She stated she had not looked
299 up the exact percentage of survival, but RWSA must monitor all the tree plantings through their
300 annual mitigation reports. She stated these are submitted to DEQ, and DEQ determines if the
301 requirement has been met about the number of plant species growing there.
302

303 Ms. Bowles stated RWSA overplanted, with the knowledge that not every one of the trees would
304 survive. She stated she did not have the exact percentage, but she could get it for the board. She
305 reiterated that RWSA does coordinate with DEQ on this.
306

307 Ms. Bowles added that it is possible to see areas like this one where perhaps the trees did not
308 take as well. She stated in other areas, they may have taken better, so there is some variability
309 across the whole property.
310

311 **8. CONSENT AGENDA**

312 *a. Staff Report on Finance*

313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354

- b. Staff Report on Operations*
- c. Staff Report on Ongoing Projects*
- d. Staff Report on Wholesale Metering*
- e. Award of Term Contract for Professional Surveying Services; Draper Aden Associates*

Mr. O’Connell moved that the board approve the Consent Agenda. The motion was seconded by Dr. Palmer and passed unanimously (7-0).

9. OTHER BUSINESS

- a. Presentation: Annual Reservoir Report; Andrea Bowles – Water Resources Manager*

Ms. Andrea Bowles, Water Resources Manager, stated the Annual Reservoir Report talks primarily about the results from Calendar Year 2020.

Ms. Bowles stated the map of Albemarle County shown on the screen was a depiction of all the reservoirs and their watersheds. She stated this was a great way to call attention to the size of the South Rivanna Watershed, which is 260 square miles, compared to the size of the Ragged Mountain Reservoir, which is less than 2 square miles. She stated one could see that each one of these has a different watershed size.

Ms. Bowles presented the listing of reservoirs. She indicated on the chart to the sizes of the watersheds and noted how they vary throughout. She stated the storage volume is usable storage in each of the reservoirs, or how much water there is that RWSA can take out for water supply. She stated this information is received from RWSA’s bathymetric surveys of the reservoirs. She stated they do these for the urban system reservoirs every ten years.

Ms. Bowles stated she has talked to the board before about RWSA’s water quality and management assessment studies they have done in the past, and she would briefly touch on this. She stated RWSA has always done some reservoir sampling but in 2014, they decided to hire a consultant, and they began a detailed study. She stated this study really established the baseline for characteristics of the reservoirs and helped them learn more about how each reservoir is different.

Ms. Bowles stated now they have the same consultant prepare an annual review report, and as part of that report, RWSA asks the consultant to provide insight into the changes in the water quality data, but they also want them to do a system check on RWSA to see how we are doing and determine if we need to tweak field work or adjust where they are sending samples for lab

355 work. She stated this is a very valuable piece of information for RWSA, as we use the data from
356 the water quality assessments to make operational decisions.

357
358 Ms. Bowles stated the goal of the reservoir monitoring program is to collect data to understand
359 the biological processes in the reservoirs and inform water treatment decision making, which is
360 very important. She stated we establish the baseline and do the annual review.

361
362 Ms. Bowles stated in general, RWSA does bi-weekly sampling at the urban reservoirs (i.e.,
363 Sugar Hollow, South Rivanna, and Ragged Mountain). She stated usually, they do monthly
364 sampling at Sugar Hollow and Totier Creek Reservoirs. She stated they had to cut back in 2020
365 because of COVID and the ability to get out to the reservoirs, and so those two were not focused
366 on in 2020. She stated this data is used to make operational and capital decisions.

367
368 Ms. Bowles stated the graphic shown on the screen explained how the reservoir works. She
369 stated there are nutrients flowing in from streams and groundwater, and those nutrients feed
370 algae in the reservoir. She stated as they continue to grow and bloom, they will eventually die,
371 start to sink, and decompose. She stated when this happens, they use up the oxygen in the bottom
372 of the reservoir.

373
374 Ms. Bowles stated this process starts in the spring, and in the summertime, they still have
375 nutrients coming in and algae growing – likely at a greater rate, as it is much warmer. She stated
376 the upper levels of the water column become very warm, the algae grow, and a thermocline is
377 developed partway down in the reservoir. She stated it is a sort of barrier to oxygen and
378 nutrients. She stated down below, it is very cold, there is little to no oxygen, and the fish cannot
379 swim there because they can only live in the oxygenated waters at the top of the reservoir.

380
381 Ms. Bowles stated going into the fall, nutrients are still always moving around, but the reservoir
382 starts to cool from the top in surface temperature, and the lake mixes. She stated everything
383 becomes basically the same temperature. She stated the nutrients that were trapped in the bottom
384 under the thermocline come straight up into the water column, and it is possible to get a bloom
385 late in the season.

386
387 Ms. Bowles stated in terms of monitoring trends, Beaver Creek Reservoir shows stratification in
388 early May. She stated she would talk about this because RWSA has their eyes trained on Beaver
389 Creek, as it is the reservoir where they are going to install a hypolimnetic oxygenation system to
390 try to decrease the blooms. She stated the reservoir stratifies early in May, and this year, RWSA
391 has already treated it, unlike last year, but like they did two years ago. She stated it seems to be
392 an early season for algae there. She stated turnover is in early November. She stated it is anoxic
393 at depths in mid- to late May. She stated although she cannot explain why, the phosphorus
394 coming from the streams is higher in 2020. She stated RWSA will look into this.

395

396 Ms. Bowles stated South Rivanna Reservoir is the biggest watershed. She stated it works more
397 like a river than a lake. She stated water flows through it, and the retention time in the reservoir
398 is short. She stated stratification is variable each year and probably starts in May. She stated it is
399 much more shallow than Ragged Mountain. She stated there is turnover in early October, and
400 there were not any blooms requiring treatment in 2020. She stated she believes this partly has
401 something to do with the fact that the reservoir was spilling the whole time throughout the year.

402

403 Ms. Bowles stated Ragged Mountain also stratifies, partly because it is very, very deep. She
404 stated turnover there is in late November. She stated RWSA is also seeing total higher
405 phosphorus numbers there than in previous years, and she is not sure why because this has a very
406 small watershed. She stated it may be something to do with legacy sediments, and RWSA will
407 look into this further.

408

409 Ms. Bowles presented a summary chart of algaecide applications. She stated last year, in 2020,
410 there was the first blue-green algae bloom at Ragged Mountain. She stated there has already been
411 one algae bloom at Beaver Creek in 2021. She stated there is an issue with an algae called
412 Dinobryon, which is a golden algae. She stated it is not a blue-green algae, does not produce
413 toxins, and is currently happening in Ragged Mountain. She stated Dinobryon is a big taste and
414 odor producer, and it is slightly over the threshold. She stated RWSA will be doing a treatment
415 next week on Ragged Mountain.

416

417 Ms. Bowles stated Rivanna does boat surveys of the reservoirs. She stated although they make
418 sure to do them twice a year, they are out there a lot more, especially at Beaver Creek and South
419 Rivanna. She stated they do these boat surveys of the reservoirs twice a year at Beaver Creek,
420 South Rivanna, and Ragged Mountain, and once a year at Sugar Hollow and Totier Creek. She
421 stated they are looking for trash, dump sites, illicit discharges, unauthorized withdrawals,
422 whether they have basic aquatic weed problem, and what could be potential County Water
423 Protection Ordinance violations, in which case, they collect information and pictures and forward
424 these to the County to investigate.

425

426 Ms. Bowles stated another thing she wanted to call attention to was how the three entities (the
427 City, County, and Rivanna) work together regarding reservoir usage. She stated some of the
428 reservoirs are owned by the City, and some are owned by the County. She stated Rivanna leases
429 the water usage for all of them. She stated they work together with the different departments on
430 recreational access, boat docks, law enforcement, and safety.

431

432 Ms. Bowles stated regarding source water protection initiatives, RWSA is still in the process of
433 updating its protection plans for the smaller water sources (Beaver Creek, Totier Creek, the
434 North Fork intake, and Red Hill). She stated for this fiscal year, they received a \$19,200 grant

435 from VDH to establish source water protection signage in three watersheds. She stated they are
436 not yet complete, but she will let the board know as soon as this happens. She stated RWSA has
437 participated in riparian zone planting and stream cleanups with the Rivanna Conservation
438 Alliance.

439
440 Ms. Bowles stated something new is that RWSA is participating with the County on its Stream
441 Health Initiative, which is a big push they have been undertaking with Friday lunchtime
442 discussions with different speakers. She stated she and Ms. Whitaker presented for one of those
443 discussions, which was positive. She stated there will be another committee meeting in mid-May.

444
445 Ms. Bowles stated she wanted to reiterate that there is a robust reservoir monitoring program,
446 and it does inform RWSA's water treatment decision making. She stated they look at this each
447 year, and they are trying to compare, contrast, and understand what has changed from year to
448 year to try to understand what the reasons might be. She stated new in 2020 was the blue-green
449 algae bloom at Ragged Mountain, and there is an active source water protection program in
450 collaboration with their partners.

451
452 Ms. Bowles offered to answer questions.

453
454 Dr. Palmer asked if it was known whether the blue-green algae were producing toxins.

455
456 Ms. Bowles replied that blue-green algae do not always produce toxins, but they do some of the
457 time. She stated in RWSA's monitoring program, testing of the toxins has been done, and they
458 have never had a positive hit. She stated if algal levels are high, they have a threshold of 50,000
459 cells per milliliter and if it is above that, they test for toxins as well. She stated they have not had
460 to do that because they have been controlling it enough to keep it down lower. She asked Dr.
461 Palmer if this made sense.

462
463 Dr. Palmer replied yes. She asked if RWSA does not test it if it is under the 50,000.

464
465 Ms. Bowles replied that they do not. She stated she believed it was two years ago that they tested
466 the source water, also testing in the treatment train, and they did not get a positive test.

467
468 Dr. Palmer asked what Ms. Bowles meant by "source water," as she was envisioning them taking
469 the water out of the reservoir and testing that. She asked if the source water is coming into the
470 plant.

471
472 Ms. Bowles replied that the source water is the reservoir itself. She stated the protection part of it
473 is the watershed. She stated it has to do with what programs are in place in the watershed that
474 help protect the quality of the water in the reservoir.

475

476 Dr. Palmer asked if nothing was being tested but the source water, then.

477

478 Ms. Bowles replied that they are testing the source water, and they also have some sites upstream
479 of the reservoirs where they take a sample (e.g., South Fork at Reas Ford Road Bridge). She
480 stated there is also a watershed sample location in Beaver Creek, up above the reservoir itself.

481

482 Dr. Palmer stated she now understood this better.

483

484 *b. Presentation: Review of Organizational Agreements; Bill Mawyer – Executive Director*

485

486 Mr. Mawyer stated that at the March board meeting, he reviewed some of the historical
487 documents of the Solid Waste Authority, and so he wanted to do the same for the Water Sewer
488 Authority because it affects the way they do business and the decisions they make.

489

490 Mr. Mawyer stated this was intended to be a cursory review, and if there were detailed questions,
491 he would try to answer them, though if they were too detailed, they would come back with
492 another presentation specific to a particular document or series of documents.

493

494 Mr. Mawyer stated the foundational documents, as he thinks of them, for the RWSA start with
495 the Articles of Incorporation in 1972. He stated he found it interesting that the reason why
496 RWSA was ever created was that the State Water Control Board told the City and County that
497 they had \$13 million available for federal and state grants to work on wastewater treatment
498 facilities, but that the City and the County must designate a single political entity to speak for
499 both localities and receive the funds. He stated this spurred the City Council and the Board of
500 Supervisors to form the Rivanna Water and Sewer Authority, which was authorized by the
501 General Assembly and the Virginia Water and Sewer Authorities Act of 1950.

502

503 Mr. Mawyer stated the sentence shown on the slide is seen in many of the documents. He read
504 aloud, "Rivanna was incorporated as a public body, politic and corporate." He stated as an
505 attorney, Mr. Snook probably had a better legal understanding than most about that. He stated
506 this is included in most of the agreements, and it came from the Articles of Incorporation with
507 the State Corporation Commission.

508

509 Mr. Mawyer stated RWSA was incorporated and created for the purpose of acquiring, financing,
510 constructing, and maintaining facilities for a potable water supply as well as the abatement of
511 pollution resulting from sewage. He stated there were five board members from the City and the
512 County in the original incorporation (two from the City, two from the County, and one jointly
513 appointed). He stated the appointed official was to be paid \$1,800 per year, and this is still the
514 salary of the appointed official (currently, Mr. Gaffney). He stated this salary has not gone up in

515 almost 50 years, and the probable reason is that RWSA must go back to the State Corporation
516 Commission to change it.

517

518 Mr. Mawyer stated one thing that seems to be a thread in several of the agreements is that the
519 articles in the beginning prohibited Rivanna from contracting with any other party, be it a private
520 entity especially, in the City or County for water or sewer services. He stated it maintained that
521 the City utility department was going to have all the retail customers in the City, and the
522 Albemarle County Service Authority (created in 1964) would still be the retail provider to
523 customers in the County. He stated Rivanna would not have customers in either locality.

524

525 Mr. Mawyer stated the second agreement was the Service Agreement of 1973, which is called
526 the “four-party agreement” between the City, County, Service Authority, and Rivanna. He stated
527 this set forth the terms and conditions by which Rivanna would be organized and managed. He
528 stated RWSA would acquire – either by purchase or lease from the City and Service Authority –
529 the existing water and wastewater facilities.

530

531 Mr. Mawyer stated as an example, RWSA purchased from the City the South Rivanna Water
532 Treatment Plant and the Moores Creek Wastewater Plant. He stated the City transferred its lease
533 to RWSA for the Observatory Water Treatment Plant, where the City owned the building but had
534 a ground lease with UVA, which RWSA assumed.

535

536 Mr. Mawyer stated the Service Authority had the North Rivanna Water Treatment Plant as well
537 as Scottsville Water and Wastewater and Crozet Water Treatment Plants, and RWSA purchased
538 all of those. He stated the service agreement put the Beaver Creek Reservoir Raw Water Pump
539 Station and the lease of the Beaver Creek Reservoir (which is owned by the County) under
540 Rivanna’s control. He stated the service agreement also set up rules and procedures for the
541 construction and who would pay for new facilities. He stated it repeated that Rivanna was going
542 to be the sole provider of potable water and treatment of wastewater in the community, and it set
543 how the rates would be calculated.

544

545 Mr. Mawyer stated one thing of interest is that the term of the four-party agreement expired on
546 June 30, 2012; however, it has a continuing resolution part that the agreement will not expire as
547 long as bonds are existing, unless one of the parties sets up an escrow to pay their share. He
548 stated there must be two years of written notice to end the agreement. He stated the June 30,
549 2012 date was an item he would talk about in the future.

550

551 Mr. Mawyer stated the third foundational document were the 1973 bylaws. He stated those are
552 the only documents of all of them that RWSA could not find, and they are still looking for those.

553

554 Mr. Mawyer stated the Articles of Incorporation were founded in 1972 and amended in 1985. He
555 stated they were amended to limit Rivanna's powers to serve only the City and the Service
556 Authority and no other customers. He stated in 1986, there was the second restatement, which
557 placed the Executive Director of the Albemarle County Service Authority on the Rivanna Board
558 of Directors at the discretion of the County and in lieu of the County Engineer.

559
560 Mr. Mawyer stated the third restated articles, in 2009, made a significant change in that it
561 increased the board members from five to seven, and it placed an elected official from the City
562 Council and the Albemarle Board of Supervisors on the Rivanna Board.

563
564 Mr. Mawyer stated the fourth restated articles happened in 2017, when the City split the utility
565 department to have the Public Works Department be separate from Utilities. He stated as such,
566 they placed the Director of Utilities on the RWSA Board and the Public Works Director on the
567 RSWA Board.

568
569 Mr. Mawyer stated the bylaws are administrative documents. As an aside, he stated the pictures
570 on the screen showed some of the former board members (including some current members), as
571 COVID did not allow for photographing the current board members in 2020. He stated in 1975,
572 the bylaws were amended and were specific about who the officers of the board would be. He
573 stated it scheduled the meetings for the third Monday at 403 8th Street, in the City. He stated it
574 set up the agenda for board meetings and order of topics, which is still followed today, and it
575 stated that all members must be present to amend the bylaws.

576
577 Mr. Mawyer stated in 1983, the bylaws were amended to allow a member to have an alternate
578 attend the board meeting, but the alternate cannot vote. He stated in 1986, the meetings were
579 changed from the third Monday to the fourth Monday.

580
581 Mr. Mawyer stated in 2010, the bylaws were amended to be much more specific about the roles
582 of the Board of Directors, and they again changed the meeting date from the fourth Monday to
583 the fourth Tuesday for reasons unknown.

584
585 Mr. Mawyer stated in 2014, the bylaws were amended to allow the board members to participate
586 remotely in a board meeting through electronic communications, which was significant. He
587 stated it stipulated that they still had to have a quorum of four members physically present at the
588 meeting for it to be an official meeting.

589
590 Mr. Mawyer stated in 2016, the bylaws authorized the Executive Director to sign contracts, in
591 addition to the board chairman. He stated in 2020, it increased that authorization from \$100,000
592 to \$200,000.

593

594 Mr. Mawyer stated other major agreements have been put in place through the years. He stated in
595 1983, there was a Working Agreement on Urban Area Wholesale Flow Allocation and Billing.
596 He stated this set up how RWSA would bill water and wastewater operating and maintenance
597 charges based on the reported retail flows of the City and the ACSA. He stated as an example, if
598 the City had 100 gallons worth of retail sales and the Service Authority had 200 gallons, then the
599 total would be 300, and the City would be billed one-third and the Service Authority two-thirds
600 of the total cost of all the water that RWSA produces, which is how RWSA allocates their
601 operating expenses today.

602

603 Mr. Mawyer stated in 1983, the City Council and Board of Supervisors authorized Rivanna to
604 purchase the Buck Mountain property to create a new drinking water reservoir. He stated this did
605 not get built due to environmental regulations.

606

607 Mr. Mawyer stated the Southern Loop Agreement was put in place in 1987, which was to
608 improve the infrastructure in the southern area of the City and County for finished drinking
609 water. He stated it planned a pipeline from the Observatory Water Treatment Plant area
610 (specifically, the Observatory Mountain water storage tank) over to Avon Street, and this was
611 constructed and called the “Western Branch.” He stated they will continue to work on it and talk
612 about the Eastern Branch that was planned to go from Avon Street around the south side of the
613 City to East High and Long Street at Free Bridge. He stated they now call it the “Central
614 Waterline,” and it is planned to traverse through the center of the City. He stated, RWSA is
615 working on an agreement to revise the original Southern Loop Agreement.

616

617 Mr. Mawyer stated there was a sewer project in 1990 to put in a major sewer line. He stated the
618 Urban Waterline in 1993 was a major agreement to provide a funding formula for the waterline
619 from the South Rivanna Water Treatment Plant all the way to Main Street in Charlottesville.

620

621 Mr. Mawyer stated there was an agreement in 2003 about funding for the South Rivanna Water
622 Treatment Plant expansion, that non-capacity CIP projects would be shared 48% by the City and
623 52% by the Service Authority. He stated this is followed today. He stated the agreement also
624 allocated the urban plant capacity, and the South Rivanna Reservoir safe yield was increased.

625

626 Mr. Mawyer stated more recently, the 2012 Ragged Mountain Dam Project Agreement was
627 completed as an outcome of the Community Water Supply Plan that decided that they needed to
628 build a new dam at Ragged Mountain. He stated it also required Rivanna to complete the Water
629 Supply and Demand Study every ten years, which RWSA just completed the first one in 2020.
630 He stated it also required Rivanna to build a Wholesale Meter System to monitor the usage of
631 finished water by the City and Service Authority so that the allocation of water supply could be
632 monitored. He stated it also includes a term that the Ragged Mountain Reservoir is leased to

633 Rivanna for 40 years, and it will expire in 2052. He stated this is another item on his list to work
634 on.

635
636 Mr. Mawyer stated the counterpart to the Ragged Mountain Agreement was the Water Cost
637 Allocation Agreement of 2012, which decided that the Ragged Mountain Dam was going to be
638 paid 85% by the Service Authority and 15% by the City; and that the Rivanna-to-Ragged
639 Pipeline will be funded 80% by the Service Authority and 20% by the City. He stated it also
640 allocated the additional water and the safe yield that the pipeline and reservoir was going to
641 create.

642
643 Mr. Mawyer stated there was a Wastewater Projects Cost Agreement in 2014, which was about
644 allocating the cost of the new Rivanna Pump Station as well as future capacity and non-capacity
645 wastewater project costs. He stated it requires RWSA to do an engineering study every five years
646 to see how much wastewater flow is coming from the City and Service Authority. He stated this
647 was completed last year, and RWSA will likely be bringing information to the board about it
648 soon.

649
650 Mr. Mawyer stated #18 on the slide was an amendment to the four-party agreement, which stated
651 that rather than putting debt service into the service rates, it will be accounted separately. He
652 stated there is a rate for the usage of finished water, but they have a charge for the debt service.
653 He stated this separated the two costs that RWSA manages and charges the City and ACSA.

654
655 Mr. Mawyer stated not long ago, in 2019, RWSA decided that the Buck Mountain bond had been
656 paid and that the surcharge should be ended. He stated the County, City, ACSA, and Rivanna
657 signed onto that joint resolution.

658
659 Mr. Mawyer stated #20 on the slide was the Observatory Water Treatment Plant Agreement for
660 the capacity increase, and #21 was for the new Observatory Water Treatment Plant lease that
661 took RWSA many hours to put together with UVA.

662
663 Mr. Mawyer stated in summary, part of the purpose of this was to give the board a quick
664 overview of the many agreements RWSA administers and has studied to make sure they
665 understand and apply them correctly, as well as correctly budget and allocate costs. He stated
666 along with receiving direction from the board, RWSA follows these agreements. He offered to
667 answer any questions.

668
669 Mr. Gaffney stated this was very thorough and helpful for many of the board members, including
670 himself.

671

672 Mr. Mawyer stated it was a long history, and they try not to forget their roots to help them
673 manage where they are going. He stated the decisions and plans they make today are based on
674 these agreements.

675
676 Dr. Palmer commented that this reminded her of when Mr. Mawyer spoke in March about the
677 Solid Waste agreements and about the operational agreement. She stated she read the RSWA
678 minutes and noticed that Mr. Mawyer did not mention the portion about additional facilities that
679 Rivanna would develop and carry out new construction if the County or the City wanted them in
680 the future.

681
682 Dr. Palmer stated this time, however, Mr. Mawyer did mention that the four-party agreement, it
683 includes the construction of new facilities that Rivanna would construct, that would be designed
684 and operated by Rivanna. She asked Mr. Mawyer if he had anything to say about this, adding
685 that she wanted to note that this exists in the operational agreements for Solid Waste also.

686
687 Mr. Mawyer stated yes. He stated the generalities that Rivanna would design, construct, operate,
688 and maintain facilities of solid waste and water and sewer that the community needs are similar
689 in the two agreements.

690
691 Dr. Palmer stated she was saying this is something she has noted as coming up over the years.
692 She stated her other comment was that some of these agreements, when changes are made, take
693 an amazing length of time. She stated these were discussed for years before they were changed.
694 She stated she always appreciates when there is a final agreement, and the change takes place.
695 She stated this was just a comment on how long it does take at times to get these things done.
696 She thanked Mr. Mawyer for the overview.

697
698 Mr. O'Connell stated the Central Waterline needs a cost allocation agreement. He asked if there
699 are any others in the near future. He stated he noticed a couple of leases that are longer-term.

700
701 Mr. Mawyer replied that there were none in mind at that time. He stated there may be some
702 discussion in the near future about some facilities on 29 North and how they fit in with the four-
703 party agreement, along with the Central Waterline. He stated there were no other major
704 agreements, however, that RWSA was thinking of other than the fact that the four-party
705 agreement's term ended in 2012. He stated he has been talking to Ms. Long about some of the
706 State Code requirements and any leasing limitations.

707
708 Mr. Mawyer stated the Ragged Mountain Dam Project Agreement leases the Ragged Mountain
709 Reservoir for 40 years until 2052. He stated based on the current schedule, they would finish the
710 new pipeline around 2033 and, in effect, only have 20 years left on the lease of this major water
711 supply facility on which they just spent a lot of money to expand and build the pipeline so that

712 they can fill it. He stated similarly to the Observatory Treatment Plant, where they talked about
713 needing a major renovation to the plant but how the lease will expire, which fueled RWSA to
714 coordinate with UVA on a new lease, he may need to talk with the City about extending the lease
715 on the Ragged Mountain Reservoir in a similar way.

716
717 Mr. Gaffney stated he did not think it was too early to do so.

718
719 Mr. Mawyer agreed.

720
721 **10. OTHER ITEMS FROM BOARD/STAFF NOT ON AGENDA**

722 There were no items.

723 **11. CLOSED MEETING**


724 There was no closed meeting.

725
726 **12. ADJOURNMENT**

727 **At 3:17 p.m., Mr. O'Connell moved to adjourn the meeting of the Rivanna Water and**
728 **Sewer Authority. The motion was seconded by Dr. Palmer and passed unanimously (7-0).**

729
730
731 Respectfully submitted,

732
733
734
735
736
737



Mr. Chip Boyles
Secretary - Treasurer