

**King George County Board of Directors**  
**July 11, 2023**

The regular meeting of the King George County Service Authority Board of Directors was called to order at 5:30 PM by Chairman Allen Parker in the Board Room of the Revercomb Building, located at 10459 Courthouse Drive, King George, Virginia, 22485.

**Members Present:** Chairman, Allen Parker  
Vice Chairman Carrie Cleveland  
Ann Cupka  
Cathy Binder  
James Morris

**KGC Administrator:** Christopher Miller, County Administrator

**KGC Attorney:** Kelly Lackey, County Attorney

**0:00:00.0 Chairman Allen Parker:** I now call to order this regular meeting of the King George County Service Authority Board of Directors. We will have an invocation by Ms. Cleveland, followed by the Pledge of Allegiance by Mr. Miller. Please stand as you are able.

**0:00:15.7 Vice Chairman Carrie Cleveland led an invocation.**

**0:00:28.4 ALL:** I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

**0:00:48.7 Chairman Allen Parker:** Mr. Miller, are there any amendments to the agenda?

**0:00:50.8 Christopher Miller:** No, sir.

**0:00:53.7 Chairman Allen Parker:** Moving on, to public comment. Public comments will be limited to three minutes per person in order to afford everyone an opportunity to speak. If comments relate to a specific public hearing item, we ask that you offer those comments at the time of the public hearing. Is there anybody who would like to speak this evening? Please come up to the microphone here. State your name and the organization you are representing or your address. And go ahead.

**0:01:24.9 Dale Hammes:** Good evening. Thank you for your time. My name is Dale Hammes. I am a partner with Green Energy Ventures, and we have a property submitted for rezoning to the board of supervisors for data centers. I live in Leesburg, Virginia. I worked in Loudoun County for the water utility there, and I was there 40 years. And when I started in 1977, that water utility was about the size that yours is today. I do not pretend to, to know a whole lot about everything, but I did learn a lot in 40 years in the water

business. So, the comments that I am offering today are regarding the MOU that you have for water supply with Birchwood. I am familiar with that water system. I am a little familiar with your system, and I am familiar with the permitting and the challenges that you face whenever you do very new and very large water supply planning. And I see that is what you are doing as is you prepare for the comprehensive plan that your board of supervisors has approved. So, I encourage you to think about water, to think very hard about the agreement that you may have to implement the MOU. I know the devil is in the details with regard to rates, supply, conditions of supply, and all those things that are very important not only to you and your customers, but to the regulatory agencies, to the bonding companies and the rating agencies that you'll deal with, that they want to see a real solid water supply plan. Something that will serve you well into the future and your citizens as well. So, as I look at, well, I do not see the clock, but I am thinking about time. I want to be respectful of time. I do think that water should be in the public domain as much as possible. I think you should have the ability to decide where, when, and how to use that water in any way that best serves you and your community and your customers, and helps you implement and discharge your duty to implement the comprehensive plan that you have before you. I know there is a lot of work to be done, and I encourage you, I think it is a good thing that you are working towards an agreement. I think it is a good thing that you are working towards getting off the groundwater. And I am familiar with the Potomac Aquifer and all the problems the region has using groundwater and the need to move to surface water. So, a lot of encouragement, a lot of good luck in your efforts to implement a really sound, resilient, and reliable water system. Thank you very much.

**0:04:09.3 Chairman Allen Parker:** Thank you. Is there anybody else in the audience that would like to speak?

**0:04:15.0 Hobie Mitchel:** Good afternoon board members and, and the county staff. My name is Hobie Mitchel. I am managing partner at Green Energy Ventures, and I was also a 20-year board member for Public Utility Water and Sewer utility in Northern Virginia. So, I am quite familiar with it. I, I was chair of the finance committee of our board because we, we did have a lot of money. We had an AAA bond rating by the way. So, we were very good at (audio from online public began while Mr. Mitchel was speaking) I will wait for this to end. Okay, good. We are also, repeating what Dale said, we are glad to see that you are getting into the water business using surface water because you have to deal with that problem that's existing right now for the county and in DEQ. All we are saying is that you should have enough of it. You must have a plan of finance, you have to have customers, whether it's raw water or potable water, to help finance the construction of any facility and the distribution, but also for paying for operational side. And for that you need customers. 600,000 gallons is all you have for the existing customers and people you have. But you need to be able to finance the infrastructure in order to do that. Whether it is treatment and on all that. You need utility connection fees, and you need

availability to which there are availability fees but also for user fees, whether it is raw water or potable water. And we are suggesting that you look at that in the agreement. 600,000 gallons, I think it should be a higher number for your purposes because you should be the one in the water in the sewer business and be able to get enough of it so you can finance your capital improvement programs when it becomes necessary. Thank you very much for your time and I look forward to working with the county.

**0:06:22.5 Chairman Allen Parker:** Thank you. Is there anybody else in the audience that would like to speak? Anyone online Mr. Dines?

**0:06:30.6 Chris Dines:** No. Mr. Chairman.

**0:06:35.2 Chairman Allen Parker:** All Right. We will close public comment for this evening, reports from members of the board. Ms. Binder.

**0:06:42.8 Cathy Binder:** Thank you very much. Thank you to the folks from Green Energy Ventures for coming out and giving us some insight. Thank you very much. I would like to point out that we did have our well budget hearing on June 28th, and some of us had some good conversation with some citizens who had concerns that came to the meeting, and I think it was a fruitful discussion. And I had talked to Mr. Miller earlier and just gave a comment about, well I did have one of the residents ask when our FAQ would be done for the questions on the Service Authority.

**0:07:13.2 Christopher Miller:** Yes, ma'am. And we will sit down with Ms. Southall and start developing that with the staff at the Service Authority as well, and start preparing some FAQs, probably run it by you guys, make sure that we're capturing what you are looking for before we put it on there.

**0:07:34.5 Cathy Binder:** Thank you. That is, I told her it is on our way. It is a new project, and we are getting the information out there. Our staff has been doing a great job of updating our website and getting more information. I also want to have a shout out to our maintenance staff. Two of the residents that came had a concern about their water, and they went out the next day to look at it, and the customer was very happy with how it was all handled and, had some education on what their problem was and a little more understanding. So, thank you to the maintenance staff for going out and assisting the customer and helping them to a better understanding. And that is the end of my report. Thank you.

**0:08:11.2 Chairman Allen Parker:** Ms. Cleveland.

**0:08:15.4 Vice Chairman Carrie Cleveland:** Thank you. Yes. The only thing that I had to pass today was that I had a constituent ask me about the Fairview Beach well, and the proposed new well, and I was wondering if you could give a little bit of information in your manager report for any updates.

**0:08:32.6 Christopher Miller:** Did you say on the Fairview Beach well?

**0:08:35.8 Ann Cupka:** Yes.

**0:08:35.9 Chairman Allen Parker:** Yes. Ms. Cupka.

**0:08:39.3 Ann Cupka:** Thank you, Mr. Chair. Thank you, gentlemen, for joining us this evening and providing your comments to us. We appreciate your time and your interest. And I would just echo the comments that Ms. Binder had regarding the public hearing and getting in touch with constituents. And I too was going to ask that question. Are the frequently asked questions ready yet? And Ms. Cleveland, you took my question as well, so I likewise heard from a constituent about the proposed new site for Fairview Beach. So, thank you very much.

**0:09:13.2 Chairman Allen Parker:** Mr. Morris.

**0:09:17.1 James Morris:** Thank you, thank you gentlemen for your comments this evening, and thank you, my colleagues, for taking all the questions. And that is it for me. Thank you.

**0:09:25.8 Chairman Allen Parker:** All right. And, just to, to cap off our, our reports, I do want to reiterate a thank you to Green Energy Ventures for coming out and speaking tonight. We always like to hear comments from the general public on any of the matters we are considering. And I do reiterate, Ms. Binder and Ms. Cupka's analysis of the budget meeting. It was very good too, to sit down after it and talk to some of the constituents, and just answer some of the questions and just alleviate some of their concerns. and that is it for my board report. Moving on, we will go to the consent agenda.

**0:10:10.6 Cathy Binder:** I move the consent agenda as presented.

**0:10:14.1 Vice Chairman Carrie Cleveland:** Second.

**0:10:16.3 Chairman Allen Parker:** I have a motion made and seconded. All those in favor?

**0:10:19.3 Cathy Binder:** Aye.

0:10:19.3 Vice Chairman Carrie Cleveland: Aye.

0:10:19.7 Ann Cupka: Aye.

0:10:21.1 James Morris: Aye.

0:10:21.5 Chairman Allen Parker: Chair votes aye. Motion carries, report from the county attorney, Ms. Lackey.

0:10:27.0 Kelly Lackey: I do not have any general information this evening. Thank you.

0:10:29.4 Chairman Allen Parker: Seeing as there is no presentations and reports, we will move onto action items. First up is the freedom of information cost policy in plain English overview. Back to you, Ms. Lackey.

0:10:44.9 Kelly Lackey: Good evening. From the outside, I want to say, this is under action items, but on further review, this is an optional action item. The new statutory language requires state public bodies and local governing bodies of a certain size to have a FOIA cost policy. So, in my opinion, the authority is not required to have a policy, but it is a kind of a best practice. It is something that I would still recommend if there is willingness of the board to consider it. So, in your agenda packet, there is a proposed policy. The public bodies that have to have this kind of a policy has to do two things. The new component as of July 1, 2023 is it has to have a methodology for costs if you're going to charge costs. And secondly, you are supposed to have a plain English statement of FOIA rights and responsibilities. Most of what is proposed as a plain English statement is parallel to provisions that the model template that is distributed by the Virginia Freedom of Information Council has. but within it, in addition to trying to state in, you know, common English, what, are the rights of a requester and what are the responsibilities of the custodian of records under the policy. There are some optional provisions. So firstly, as I mentioned, it would be how costs are assessed. And then the other, major component, which is an, an optional provision, is to give a general description of how exemptions are applied. So, the Freedom Information Act pertains to records, and then there are various sections that provide for either mandatory or discretionary exemptions. Most public bodies apply the exemptions whether or not they are mandatory or discretionary. That way you are not making decisions about what to release based on who the requester is and what they are asking. There is usually a sound reason in law why an exemption is provided in the first place. A lot of them are for, privacy expectations. For example, there is one specific to customer account information that would extend to the identity of people who hold accounts with the Service Authority. And so, the draft is for your consideration, but it largely tracks the recommendations to the 2018 policy that the Board of Supervisors will also be taking a look at tonight. But once again, it is an optional policy.

But it is something that you all might want to consider just so that anybody who does have questions, they, they, you know, know what the, the ground rules are and know how you all want costs and exemptions to be applied.

**0:13:39.0 Chairman Allen Parker:** So, I guess we will, take some comments and questions for Ms. Lackey.

**0:13:46.7 Vice Chairman Carrie Cleveland:** Did you say that the Board of Supervisors are going to be looking at this tonight and voting on it or?

**0:13:52.2 Kelly Lackey:** So, it is on the Board of Supervisors agenda. They do have an existing policy that meets the requirements of the law. So, I do not know if they are going to make changes to that policy, but then, the policy in your packet would meet the updated version that's proposed for the Board of Supervisors.

**0:14:10.1 Vice Chairman Carrie Cleveland:** So, I would recommend that we wait to have them look at it first and see if they want any changes made. That would be my recommendation to the board.

**0:14:25.0 James Morris:** Yes, I think we should mirror the county policy, but I do think we should have something written down. So, then there is no question when these issues arise.

**0:14:39.6 Cathy Binder:** I have got a question. Do you know offhand how many FOIA requests do we get for the Service Authority? Probably not a big number.

**0:14:51.6 Kelly Lackey:** Offhand it would be hard for me to say I do not see many, for the Service Authority. So, comparatively with the county. So, the Service Authority gets relatively few, I think they are more customer inquiries based then. The ones that Patty and her staff can, you know, they can respond directly to, you know, what was my bill last month? I did not get a copy of it. Can I have another copy? And so those are things would fall within the 30 minutes or less of staff time. They would not be billed, there would not be exemptions that would have to be reviewed. So, by and large, the ones that are handled are, are relatively simple customer service requests.

**0:15:30.4 Cathy Binder:** Thank you.

**0:15:32.9 Chairman Allen Parker:** So, just I am understanding, we do not have a, a FOIA policy currently in the Service Authority. Correct?



**0:15:37.8 Kelly Lackey:** There is not a separately existing FOIA policy that I am aware of for the Service Authority informally, staff has kind of been paralleling what the, the Board of Supervisors does.

**0:15:51.3 Chairman Allen Parker:** So, I guess what we could do this evening is just, basically have the Service Authority's FOIA policy mirror the policy the Board of Supervisors and the general county.

**0:16:08.7 Kelly Lackey:** That's one option. So, the draft in your packet has a few differences just because there, I, as I mentioned, there is that one exemption that applies only to utility accounts. And then there is just a slightly different process between how it is delineated for staff to handle it. Because there are just a lot more staff on the county side than on the Service Authority side. But this, the costs and the exemptions are all, all proposed to be applied the same way.

**0:16:38.0 Chairman Allen Parker:** So, I guess what are your, what are the thoughts? Do we want to, since we do not have a formal policy, do we want to adopt this since it mirrors the county policy with changes that are specific to the Service Authority? Or do we want to wait in the county? Because we still need to adopt one for here, either way, but there might be slight differences if the county does not adopt this one.

**0:17:02.3 Kelly Lackey:** Right. So currently, Ms. Fish is serving as the FOIA office for both the Service Authority and the county. And I think you all are aware the county's website is undergoing an overhaul. So, what I, envision is probably a landing page for FOIA request, whether it is Service Authority or county. If there were separate policies, there could be links to both, but there they could be kind of similar to the frequently asked questions that we were just discussing. There could be some bullet points of the commonalities, for quick reference for people.

**0:17:30.4 Chairman Allen Parker:** So, what is everybody's kind of will, do we want to vote, and have this policy? Or do we want to hold off until the supervisors take a look, but we need to put a policy in place. I think at some point formally for here.

**0:17:46.4 Ann Cupka:** So, I believe two of our colleagues have already spoken up. If you are looking for a third one, I agree with them. We should wait to see what the Board of Supervisors adopts and then if there are any necessary changes, Ms. Lackey can make those and bring them back to us at the next meeting on August 01, 2023. Thank you.

**0:18:03.9 Chairman Allen Parker:** All right. So, let us do that then. Let's, we'll put off the vote on it, but see what it gets voted on tonight at the supervisor's meeting and then, if

there's any needed adjustments to mimic what they, what the changes are, I'll bring it back at the next meeting so we can, take a formal vote on it.

**0:18:22.0 Kelly Lackey:** Sure. And in particular when you are reviewing the drafting, one difference that is between the policy for the Service Authority and the Board of Supervisors was because you all did not have a policy before, I tried to put kind of two provisions. An overview section at the very top to kind of hit on that kind of the, probably the most frequently asked questions, where, where do I put my request and, what information should I know from the outset. So, if there are any comments on that, I would be happy to receive them through individual members of the Board of Directors, if you have any.

**0:19:02.2 Chairman Allen Parker:** Alright, we will move on from that and go to the Walnut Hill Agreement Amendment. Ms. Lackey again.

**0:19:09.4 Kelly Lackey:** So, as you will recall, Walnut Hill representatives are here tonight, they were also present at the May 2nd and June 6th meetings. Their initial request was for a waiver of a few of the provisions of section 27 of the Service Authority regulations. My direction from the board was to go ahead and suggest some amendments to that section, which you all adopted at your last meeting on June 20th. So now the request has shifted just a bit, so there is no waiver request. Now, what they're requesting is a cost reimbursement agreement which fits within the letter of what the revised regulations are. Their situation is a little bit unique in that they have an existing cost reimbursement, but you will recall that they are looking to, get some more density out of the property to make their, development more financially feasible and technically feasible and viable. What they would like to do is for the cost reimbursement to be based on the cost estimate that was prepared for the original subdivision with fewer lots. However, staff have reviewed that cost estimate, they think it is very reasonable, they think if anything, it would be, you know, detrimental to the Service Authority if the costs were possibly recalculated. So, my, what I have heard from the engineering staff is that they believe it would be reasonable to continue to apply the cost estimate that was prepared with the prior agreement. And if this prior agreement is approved, it would only become effective in the event that they, the subdivision, is approved for greater density.

**0:20:49.2 Chairman Allen Parker:** So, are there any questions, comments for Ms. Lackey? Alright then we are looking for a vote to accept or to have myself or the interim general manager Mr. Miller carry out the agreement.

**0:21:09.6 Ann Cupka:** I will move adoption of the revised water and sewer extension expansion and reimbursement agreement as presented.



0:21:17.4 Vice Chairman Carrie Cleveland: Second.

0:21:19.0 Chairman Allen Parker: We have a motion made and seconded. Is there any discussion? All those in favor?

0:21:24.9 Cathy Binder: Aye.

0:21:24.9 Vice Chairman Carrie Cleveland: Aye

0:21:25.9 Ann Cupka: Aye.

0:21:25.9 James Morris: Aye

0:21:27.5 Chairman Allen Parker: Chair votes aye, motion carries. You can execute the amended agreement. Last on the list of action items is the proposed memorandum of understanding with Birchwood Power Partners for Surface Water and Land Dedication. Ms. Lackey.

0:21:49.7 Kelly Lackey: So, folks have heard a little bit about the proposed memorandum of understanding from the public comment, but to give a little background for anyone who this is completely new business. Birchwood Power Partners is proposing a data center campus in King George. So, they have pending land use applications that are going to be considered next week by the Planning Commission, and then, presumably at a future date, by the Board of Supervisors. The former Birchwood Power plant has an existing surface water intake, surface water is not well water we are talking about river water, specifically water drawn from the Rappahannock River. That system is still intact, and it is proposed for reuse for the data center cooling. The Birchwood development, the redevelopment of the site for a data center campus, will require some potable water, they will have some staff present on the site. So, they are proposing that they will use the existing commercial groundwater well for potable water, but they foresee future growth and future need for additional water sources. So, what they are proposing is, this MOU would provide that in the event that the Board of Supervisors grants the land use approvals for the data center campus, and that the state regulatory entities who have control over certain permitting issues with the water intake subject to their approval. Birchwood would sell a minimum of 600,000 gallons of raw water a day to the Service Authority, the price would be subject to negotiation. This agreement, would, would take potentially up to a year of the party's negotiations after the land use approvals. In addition, Birchwood is willing to dedicate a 12-to-15-acre site for public utility uses, most likely a water treatment plant. The raw water from the rivers currently that was used by the power plant and is proposed to be used, by the data center, would need very little processing for those purposes. But for human consumption and, and potable uses, it

would require treatment, and so that, that, would be part of the plan of action. The acquisition of surface water and a site for a water treatment plant would help position the Service Authority to transition from groundwater wells to surface water or river water. And this is needed due to the limited resources of the Potomac Aquifer, the existing wells are having difficulty and future growth in the county is kind of suspended, having a lack of and a different source of water. So, this would be a path forward, but once again, this is not a memorandum of understanding, it is a statement of intent, it's essential terms for future negotiation of a water agreement. If there are any questions, I would be happy to answer them.

**0:24:45.7 Chairman Allen Parker:** So, are there any questions for Ms. Lackey?

**0:24:48.4 Cathy Binder:** Yes, there is. Thank you. I like that you said future negotiations because I know one of the concerns I have is, is very well known that that, that we, Mr. Miller, you can clarify that, looking at projections up to 2040, we need a lot more than that amount that is in that agreement to service our current customers and any future customers possible. So, my concern always is that is the bare minimum.

**0:25:22.9 Chairman Allen Parker:** Is there any, any other questions for Ms. Lackey? Any other comments?

**0:25:26.6 Vice Chairman Carrie Cleveland:** I will just add in comment because I agree with what Ms. Binder said, about being an MOU, I have also some other questions that, I think that we need to further look into. But for the purpose of being able to do that, I think this is needed, right?

**0:25:46.2 Chairman Allen Parker:** Yes. So, here's kind of my take on it. It is an MOU, it's not written in stone and it's just, it's just a starting point for negotiations. We would like more water than the 600,000 gallons minimum. I think there is probably more water to be had as designs and whatnot move down the road. I think it is possible to get much more than that. But we do need a place to start, and 600,000 gallons is better than zero. Where we are currently standing, currently standing and an option to put a water treatment plant on a parcel of land that we also do not have to necessarily pay for is a good starting point for getting stuff down the road. Is it the final end all be all? No, but I think it is a starting point for meeting the county's needs. So, with that, I guess if there are no other comments.

**0:26:49.6 Vice Chairman Carrie Cleveland:** Mr. Chairman.

**0:26:50.8 Chairman Allen Parker:** Yes. Go ahead.

**0:26:51.7 Vice Chairman Carrie Cleveland:** Ms. Lackey, the dedication of the land, there is a specific land right now that they are looking at or are we still looking at multiple properties?

**0:27:03.3 Kelly Lackey:** So, in the, the MOU contemplates certain properties, they are all along King's Highway in the, in the corridor where the data center campuses are proposed. They, so the site is yet to be determined, but they have proposed some specific parcels of land that they own or control.

**0:27:29.4 Vice Chairman Carrie Cleveland:** Do we feel like all those lands, are going to work for what is needed or are we going to be able to study it to make sure that it is going to work?

**0:27:41.0 Christopher Miller:** So, in if I may answer that question So, in our discussions with our engineering team, the estimate was like 12 to 15 acres would be necessary to have a water treatment facility constructed and operating, at some point in the future. So that is what we provided them with information and that is what they are saying to us.

**0:28:11.0 Vice Chairman Carrie Cleveland:** I am going to ask another question, and it might sound stupid, there certain land can only handle certain things. So, I am just, engineering needs to be done on the land to make sure it can handle it, I suppose, or?

**0:28:22.4 Chairman Allen Parker:** So, no.

**0:28:23.4 Christopher Miller:** I think that we would, we would obviously, I think.

**0:28:26.6 Chairman Allen Parker:** You'll have to.

**0:28:27.5 Christopher Miller:** Oh, go ahead. I am sorry. Go ahead.

**0:28:28.9 Chairman Allen Parker:** Yes, you would have to design for it, but there is no, there's nothing that can't be built on anything, right? If you want to build something in the middle of a swamp, it can be done, it will just cost more money. You are talking about, basically raw open land, there is nothing out in King George that's going to prevent anything of this nature from being built. You are going to be pretty much on pretty standard designs out here, there's not, you might end up on some, piles if the loads are higher, which you do see on water treatment plants and whatnot in Spotsy and up in Stafford in some cases. If the loads are super high. But, out here you should be able to build anything you need, just the cost of, it is just a question of is it a little bit more or less expensive than if you could just do shallow foundations or whatnot. But nothing is unbuildable, to any severe extent out here.

**0:29:25.1 Vice Chairman Carrie Cleveland:** So, question on that, since I know that you have this background, this could be just a mere like a couple of thousand or could it be a hundred thousand of difference of the buildability of it?

**0:29:38.8 Chairman Allen Parker:** So, in all likelihood there is probably nothing that is going to make this more expensive in gen, in general, a water treatment plan is lighter than, from a ground impact standpoint is lighter than the ground itself. You are going to dig a giant hole in the ground, and you are going to replace it with water that has got a, a unit weight of 62.4 pounds per cubic foot, and dirt around here is roughly in the 130 pounds per cubic foot range. When you, when you replace that, when you swap that out, like a swimming pool is lighter than the hole that you dug. So, it should influence the ground less, you should not have much settlement, you are probably going to be running on mostly shallow foundations here. It is unlikely to do anything different there, you may have some weird, problem with acidic soils, it causes you to have to use acid resisting concrete, which is only marginally more expensive than normal concrete, sounds fancy, but it is not really, it is a bunch of additives added. So, there's not a, there is not a likelihood that you're going to be seeing anything significant, you're not on the river, you are not going to likely to run in, you are not sitting, as long as we are not sitting on a wetland and there is really soft ground that you have to play with remediating. It is probably a pretty straightforward construction, which is about as cheap as you're going to get, because it's just an open field in the mid, in the middle of a, in the middle of solid ground.

**0:30:58.0 Christopher Miller:** Oh, I would also add that, because it is an MOU and this is like the start of a, like a placeholder, we would obviously entertain whatever sites that they might provide to us. We would start researching those and looking at the ability to handle a, a treatment facility, and then we would zero in on the one that is best for us is. I think, as Ms. Lackey indicated, this is the start of the process. And, and you would shore this up over time.

**0:31:25.1 Chairman Allen Parker:** Yes. And generally, what you would do is, if you have multiple sites, you will do test boards to see how the soils and whatnot look on each site and you can select from there which one might be better, from a cost standpoint for construction.

**0:31:37.3 Vice Chairman Carrie Cleveland:** But is this negotiable then? Because it does not say anything about that, in the dedication of area, that is why I was asking.

**0:31:47.3 Kelly Lackey:** So that it does suggest that there are specific parcels they have in mind, but if we encounter different problems, if they acquire more property in the area or

there are changes, it could even be on the Service Authority side. Maybe we relocate a better site for it, but this is a, a prospect, is largely what this is, something that, we would have to run the financials, see the feasibility, and make sure it all works out in the end. But this would be indicative that we want to pursue this and seriously consider it.

**0:32:22.3 James Morris:** So, the abbreviated version is, engineering says we need 12 to 15 acres to build this type of facility and they have said they will carve out a 17, a minimum 17-acre parcel of the, the, for the facility, correct?

**0:32:41.0 Chairman Allen Parker:** Yes. They are going to carve out a minimum of what we need for an expanded facility, not just specifically this, but for the, the overall, I think two million gallon a day potential facility, I think is what we're talking about on the, the larger acreage. So initially this would be a smaller version, which could be expanded, but yes, they are, giving us a carve out for enough acreage to do what we would need to do.

**0:33:07.9 Cathy Binder:** But Mr. Chair, this is still negotiating so it could change because and then my question is, for the land, are they giving it, or do we have to pay it back?

**0:33:18.0 Kelly Lackey:** So, they have used the term dedication, so that indicates that they are not intending to charge, they are going to reserve easements on the property, because they do want to utilize this facility, for their own potable water needs. So that they have some skin in the game, they want to see this happen and, and they do have some direct benefit from it.

**0:33:39.3 Cathy Binder:** So, you just said they would like to use it for their, uses, correct? Possibly.

**0:33:47.8 Kelly Lackey:** So, I'm not the engineer here, but they want to, they would like to pipe some of the treated water to their proposed campuses for the flushing toilets and the kitchens and, and those types of things.

**0:34:01.2 Cathy Binder:** No, I am.

**0:34:01.7 Chairman Allen Parker:** They want to get rid of the well on site at, at some point in the near future.

**0:34:05.4 Cathy Binder:** Yes, because DEQ I am sure would like them to get rid of the well on the site. But my last question is, how does this stand with any other applicate? Because this is one application and then, and as our audience members, the people who spoke in public comment, there is another application how is this, does this conflict, does this?

**0:34:25.4 Kelly Lackey:** So, I would say that there's possible compatibility with other uses, as the, the public commenters did notice there is a provision in the current drafting requested by Birchwood that would limit the sale or the conveyance of raw water to third parties. That is something that could be subject to change, I don't, I can't predict the future to see what will happen. and as Mr. Parker's noted, we are also going to be actively looking for other sources of water for the County. So, I do not think this is the end of sources of water for the county. But the, the 600,000 gallons per day is a minimum, it could be greater and there could be potentially different sources of water.

**0:35:12.5 Cathy Binder:** So, chair and follow up, I just, that would be another concern is limiting who we can sell water to, that would be a concern also, especially if that was a clause in there.

**0:35:26.8 Christopher Miller:** Well, I think that, and Ms. Lackey can quote the legal part of that. I, I don't believe that that is allowed. We certainly would not want to advocate that you would enter into any agreement that would just be one-sided that you would, this the water that you need is not necessarily just for these potential developments. The water is for the county's needs ultimately to get off groundwater, and everybody is quoting the minimum 600,000. So, the study that was done by TRC at the time was Draper Aden was 600,000 gallons a day minimum was the immediate need and then it went up to like, I think 1.2 and then it ultimately goes to two million by 2040 like Ms. Binder had quoted. So, and that study is available, it is not something that's not intended for public use, if any of this party's interested in that information, we do have it available.

**0:36:31.3 Chairman Parker:** Are there any other questions or comments? All right. I guess we are looking for a motion on the action item.

**0:36:50.0 Vice Chairman Carrie Cleveland:** I move that we accept the proposed memorandum of understanding with Birchwood Power Partners for surface water and the land dedication.

**0:37:01.0 Ann Cupka:** Second.

**0:37:02.7 Allen Parker:** I have a motion made and properly seconded. all those in favor?

**0:37:06.3 Carrie Cleveland:** Aye.

**0:37:06.9 Ann Cupka:** Aye.

**0:37:07.5 James Morris:** Aye.



0:37:08.1 **Chairman Allen Parker:** Chair votes aye. All those opposed.

0:37:08.2 **Cathy Binder:** I said aye, with reservations.

0:37:14.7 **Chairman Allen Parker:** Okay, so there is no, there's no opposed. Chair votes aye. Motion carries. So, we have accepted the, the memorandum of understanding. Interim general manager's report.

0:37:27.3 **Christopher Miller:** Thank you, Mr. Chair. The question concerning Fairview Beach. Well, as you know, there are, there are supposed to be three wells for Fairview Beach. There is the existing well site in Fairview Beach and then there, and there are two wells there. And then there is a third well, that is in the Potomac Landing, subdivision. That well, years ago, and I will refer to Patty if she has got a date on that, but it began pumping sand. So, it's no longer Operational. The plan is, under the money that the county is to get from VDH, the \$5 million, the plan is to have a third well Installed in Fairview Beach. At this point, no, determination has been made as to where that would go. It could go to the existing well site where the operational wells are in place, or it could go to the area by Potomac Landing, where the old well was and would just be moved over, to another area. We had an official from VDH out probably this time last year with our folks from TRC, and they were basically looking at all the wells that were due to be replaced. And they identified some locations and, so they do have some idea of where they could put it, but nothing at this point has been official at this stage. Like I said, it is due to be funded through that grant. I believe the timeline on the Fairview Beach, well, they would love for it to be, probably, tomorrow, but that is not at this place of time and not at this place where we are ready for that yet. But I do believe we have like two years under that... Under the restrictions on that. Was that the question? Was it about Fairview Beach? Well...

0:39:48.0 **Vice Chairman Carrie Cleveland:** Yes.

0:39:48.5 **Christopher Miller:** The new one or is it about the operations? Because we do have Inboden here if you want to talk about operations.

0:39:52.6 **Vice Chairman Carrie Cleveland:** No, it is, it's, it's a new one that I was asking about. The locations that the engineers said that it could be placed. Do we know those, or can we know those?

0:40:04.6 **Christopher Miller:** Like I said, you could put it at the existing well site, which is in Fairview Beach, which is down, you know, by.

0:40:13.5 Vice Chairman Carrie Cleveland: Okay. The ones that you have just stated.

0:40:14.9 Christopher Miller: or you could put it at the Potomac Landing site, you'll see it, it is not in operation because it was pumping sand, but. There is an area that people identify as a, well. so that is the possibility as well. But we just have not zeroed in on that at this point.

0:40:36.4 Vice Chairman Carrie Cleveland: Okay.

0:40:36.8 Christopher Miller: And this will be a project, which is obvious. It is not a secret or anything like that. I mean, it is just a matter of, they need figure out the best place for it, where the depths that they would have to go, and things like that.

0:40:51.0 Vice Chairman Carrie Cleveland: Okay. Thank you.

0:40:55.1 Christopher Miller: Okay. So, you do have a to-do list update and, happy to go through that if you would like. These are the non-capital items. The main one on here would be the automatic metering project. Two thirds are complete. Nine of 12 collectors have been installed. To date, 3200 AMI meters are installed. Approximately 3000 AMI meters are installed, reporting consistently. We have about 1,150 meters left to replace with AMI meters, and those are in the Fairview Beach, Potomac Landing, Bayberry, Eden Estates Area, and Dahlgren. Ms. Norris Barker, if there is any other update on this. I know that this project Has been escalated a little bit, accelerated. They are moving forward a little bit quicker than, than we had anticipated, which is good, and will be good for the customers. But Ms. Norris Barker has been handling that and the maintenance crews have been working with them, with the team from Four Line. But I do not want to have to call on you if there is anything that I am adding that I need to add, or you want to add to it. I think overall it is going well. Two thirds of the project. Okay. All right. Thank you. the ARPA Water grant from VDH that is executed, and we are receiving reimbursements on some of the projects. I know that the one well that we are working on is the Arnold's Corner Well. and that is one of the ones that's scheduled to be replaced sooner than some of the other ones, but there's a whole series of wells. I can, we can get that information to you all. So that you are refreshed on what the plan use of those funds was going to go towards Wastewater Grant. We are finalizing the details to receive reimbursements. that is the bigger grant, obviously, the \$16 million grant. The infiltration and inflow program, which is primarily in the Dahlgren area, we are procuring inspection services right now. That is something that Bryce Young is handling. The other two items, development review projects, which is just working with community development on what goes on with developments that are going to be on the water and sewer service. And then the fire hydrant and maintenance replacement that is ongoing, that is working with fire and rescue on identifying the various hydrants that are in place, or that are in

service. You know, we obviously have some that are at times, they are not operational and so we have to address those, and the maintenance crew is working with them on that. So, there's another page to that rate plan implementation. So, the rate's effective, July 1, 2023. They will apply to meter reads August 2023 and they will be reflected on your billing date of the September 15, 2023. Low-income housing water assistances. We were notified last Friday that funds have been depleted. And so, we received about \$15,462, on behalf of about 26 customers. Yes, we will check in to see if that can be continued and if we can receive some additional funding, obviously that was important to those customers. Arnold's Corner well replacement, which is one of the projects that is identified to receive the Virginia Department of Health grant, funds. And so, the plans are under review, and we are getting ready to start the bidding process for that one. Saft well replacement, which has nothing to do, as you may remember, with the existing Saft well, this is the new Saft. The existing Saft well, John, have the maintenance or have all the, the parts and equipment arrived yet? Start next week on the existing well, and that process will really be a big shot in the arm because as you know, with that well down the whole system is being greatly affected by that project or the well being out. But there is another Saft well, we are talking about Saft two, and that is the one that is also set to get funding from the VDH grant. Purkins Corner decommissioning Wastewater Treatment Plant. Engineering work is proceeding. RK&K is doing that. A preliminary engineering report has been submitted; design work is beginning. And then as you know, the transition to surface water as you... We just had a good discussion about that, that is also ongoing as well. let me point out a couple of things just before I... your schedule. Do we have that up there? Chris, is there a schedule? So again, you do not meet again until then, you don't meet again until August 1st, and then you would meet again on the 15th of August. This is the only meeting in July. So, this is an email that I received from the, with the exchange, public facilities participants. This is regarding the WQIF program and the nutrient and the phosphorous credits that we have. We sold credits and so people bought them. So, the Service Authority is going to get about \$61,000 back. Those will come in the form of a check. So, any kind of funding that we had to pay for the violations under the DEQ WQIF program, that we recently had you all authorize, will come back into the Service Authority and so we are actually in the black by about \$20,000. On the next page, if you forward that, I do not know if you can see up there, but essentially Dahlgren got about \$27,000 worth of credits and Hopyard got about \$24,000 worth of credits. And then Oakland Park got about \$4000, and it looks like Fairview Beach got about \$5,256. So, the total was about \$61,000 and some change, which is good news. We are very excited about that. And I owe it to our day trader, Ms. Jessica Washington who put this together and we were able to get this to the, to the folks that, that are running this exchange program. And I will defer to Inboden, they are here, and so if you have a question about specifically how the, these exchanges work, we do have some of their personnel here if anybody is interested. But it, it is something that is going to come back to us for some revenue. That is it from my standpoint. I know we do have Inboden, due to the fact that we only have one board

meeting, they obviously are not able to provide you with a major report because that report is based on data that does not get done until the 10th of every month. So, they will obviously provide a report to us that we will get for you at the August 1, 2023, meeting for the previous month, but I know they are here. Mark Inboden, John Simmons, and is it Ben or Daniel? Daniel. Daniel, Bradford with Inboden. And so, if you would indulge one of them, I guess you want to, you guys have any kind of updates, you want to do a little mini update?

**0:49:40.9 Mark Inboden:** So, yes, as, Mr. Miller pointed out, we will be submitting our report, we, we've committed to at least three to four business days after the 10th, to complete that report because we are literally waiting till the 11th hour on the 10th to receive, information back from various sub-labs. So that, that is, one of the reasons that the report is not able to be even presented before, you know, the first meeting has to be postponed to the, the second meeting. Chris, I am not sure if you want me to go into, you know, some of the details about, Lead and Copper Rule, the EPA, Lead and Copper Rule Revisions. You know, our company looks at horizons and, and we try to see what is coming down, from EPA and, and different rule makings. one of the most, pressing ones is the EPA Lead and Copper Rule Revisions, for short, we call it the LCRR, of 2021, that, that was recently approved by EPA and passed by Congress. And, and these Rule Revisions require all community water systems as well as non-transient water systems to develop an inventory of its distribution system, as well as service laterals including, service laterals after the meter. And so that means, it, it... Creating an inventory to identify potential lead pipes. But this inventory is also going to take into account the galvanized pipes that are in need of replacement, as well as, non-lead pipes, which would be considered copper, plastic, polyethylene, and the, the... As such. So, the... This is, quite a, a huge, undertaking. It is going to involve a significant amount of community development. one of our programs that we have is the Lead and Copper, Rule Revision, program that we assist all of our municipalities that are under our purview. we, we assist... We are assisting them in developing, the, the lead service line inventory as it needs to be submitted to VDH, by September of 2024. and VDH then has a deadline to submit that invent... Those inventories once reviewed by the state to the EPA, the, the federal level, in August, October of 2024. So, there is a lot of work, literally a lot of, in the field legwork that needs to, needs to happen, before September. If it's found that there are, lead service line inventories, and, and there's, there's lead service lines or, you know, unknown or galvanized that are requiring replacements and, and a system of this size, there's going to be, it's just, you know, how, how it is, a lot of our other utilities that, you know, it's certain there, there's going to be present, you know, those that will need to be replaced. So, the whole goal is to replace all of these lines. and in conjunction with this inventory, there has to be a lead service line inventory replacement plan. And so, we have to submit that as well. So, we have provided the county with a proposal. and, you know, I, I think the county's evaluating that now. two different tracks that, you know, you could potentially

take. One is your field service guys, your maintenance crew, which know the, the facility well, know the distribution system, known service lines. you guys just went through and replaced all these water meters. So, they, they understand, you know, what, what is the extent of our distribution system, particularly the, the service laterals. It is most of the distribution piping in King George is known. What is really unknown is what is installed after the meter. And so, that is where the Lion's share of the work is going to come from. And so, our proposal includes two tracks. One is, you know, you guys, doing the, the field service work yourselves. Or track two is, you know, having our team come in and, and evaluate, the, the system and, you know, doing the legwork for you. but apart from that, there's a, there is a huge desktop side of it we call it, that has to take place. And that, that's primarily where the lion's share of the work comes in. And it includes a GIS database that we have developed, you know, online portals for people to log into and, and communicate. You know that there's service laterals. So, there is, there is a lot involved here. and it, it is, its highly evidence based as well. And so, we cannot just check a box and say, yes, we're... This one is good. Well, we have to provide evidence that there, there is no evidence of lead, or it is a plastic pipe that can include pictures, it can include testing of the pipe material, doing a magnet test, a lot of different information. And so, you know, be happy to ask any questions, regarding, this, this development, from EPA.

**0:55:11.1 Chairman Allen Parker:** Does anybody have any questions?

**0:55:17.6 James Morris:** So, the line between the meter and the home, if it has to be replaced, who bears the cost of that? Us or the homeowner?

**0:55:26.8 Mark Inboden:** And that is something that is extensively under not contests, but under discussion. There are federal dollars that will be provided localities for the replacement. but that, that is still something that is being worked out. We have dealt with some utilities where they say, "You know, we're just going to take care of it because it's a requirement, it has to be done. So, we are just going to do it. We can't rely on, on, yeah, the, the homeowners to get it done." the localities, that may be a little more strapped for, yeah, the, the, the utility budget saying, yeah, we're, we're just going to provide an inventory and our plan is going to be... We will, we'll require the, the homeowner to replace it, which is a huge cost to the homeowner as well. And so, we are, we are trying to, we're in a series of meetings including round table events with other, state legislators, state regulators, as well as other localities. and we, we that is the primary topic of discussion. Yes, who, who finances that? Certainly the, the service or the, the line replacements. If it is a distribution line, that would be a utility owned system.

**0:56:37.9 James Morris:** Right.



**0:56:38.5 Mark Inboden:** But items past the meter that has historically been on the customer's side and, and under the customer's responsibility. So that is still under discussion. And, and unfortunately, I just do not have the answer.

**0:56:47.8 James Morris:** So once, so, once again, we had a federal mandate, but no plan on how to, how to finance it.

**0:56:54.0 Mark Inboden:** That's correct.

**0:56:54.8 James Morris:** With, with deadlines, I am meaning this, but again, we do not know whether money's coming.

**0:57:00.6 Mark Inboden:** We do not have to replace it by 2024. The only thing that we have to provide is an inventory. So, we have to say yes or no, that is a lead pipe, or that is a galvanized pipe, or that's a, which is a non-lead pipe. The second thing is if we have a galvanized pipe that requires replacement, or we have a lead pipe that requires replacement, we have to develop a lead service line replacement plan. And it is simply that, it is just a plan. That is what we would have to meet. And then there's still discussions on what does the plan looks like. You know, what, how is that constructed? You know, how, how can we outline that and provide that to the, to, to the state? So there, there are a lot of unknowns and, the, the unknowns are coming from, you know, the, the state level, which promulgates federal regulations. And so, the, the, there are still a lot of questions that have been asked but yet to be answered.

**0:57:53.0 James Morris:** Thank you.

**0:57:54.3 Mark Inboden:** But those are valid questions.

**0:57:58.5 Chairman Allen Parker:** And I think you can correct me if I am wrong, Mr. Miller, but I seem to remember, that this AMI water meter replacement has basically documented most of the lateral's material already. I guess that would leave, that would leave all the unmetered connections that, that are the few unmetered connections we have running around.

**0:58:18.5 Christopher Miller:** That's correct. They are doing that as part of their work. and we are going to meet tomorrow too, to assess what the Inboden team had put together. But then also, you know what other options that we have, because I think it could be a two-prong effort, or it is a big undertaking and, and we are aware of that. But fortunately, part of the Four Line project, they have been documenting all this information, so.



**0:58:44.8 Chairman Allen Parker:** So, are we going to at some point have to put meters on the ununmetered lines or is that?

**0:58:49.4 Christopher Miller:** I do not know. Ms. Norris Barker, you want to approach, please?

**0:59:00.7 Norris Barker:** There's currently 45 unmetered customers. and the reason they have never been metered is access to the property, finding their, service lateral. Because what we would do is to go find the service lateral and install a meter there, cut it and install the meter. But that has been since the original metering project, when I first came here in '97, that was their first metering project. There were 45 identified at that well, there were 55 identified at that time, and we have over the years located 10 of those. So, currently it's 45 that are unmetered.

**0:59:47.0 Chairman Allen Parker:** I am just thinking you are probably going to, if you have to find those laterals to figure out It is probably a, a good time to install meters.

**0:59:57.6 Norris Barker:** Okay.

**0:59:57.9 Chairman Allen Parker:** If we are going to, if we are going to spend all that money to find them. There is going to be the hard point is at 45.

**1:00:08.2 Mark Inboden:** Service lines can be classified as unknown, but all unknown lines will fall under the requirement for replacement.

**1:00:18.1 Christopher Miller:** If I, one last item. I know at the last meeting, in the report there was a mention of a, of, you know, a discharge at Hopyard and it, I think there were some questions about that. And so, I have certainly had conversations with the Inboden team. The first thing I would point out is that, that discharge, there are discharges every day. And the reason that it was a problem for Inboden as I think they indicated, and I will let Mr. Inboden talk about this, is that the lab where you would normally do tests was not available that day. It was closed. And so, when they were doing their discharge, they tested, but they did not test all of the samples because they couldn't get that because the lab was closed. So, it is not certainly a discharge, like the extent of a discharge that happened at in Dahlgren in January of 2022 or Purkins or anything like that. It, it is, it's something, it was a controlled situation. It is under the permit, it's authorized, but it was because of the fact that they couldn't do the testing that that pre presented the problems. And I will certainly refer to you on that as well if you want to clarify even more.

**1:01:39.9 Mark Inboden:** Really in a nutshell, there was an E. Coli sample that was unable to be analyzed, from the, the sub laboratory. So, all of the parameters were collected and

inspected, including pH, dissolved oxygen, other aesthetic qualities that we, yes, characterized each and every day. You know, the, the entire process was verified that it was operating normally. And so, when someone says a discharge, it is not necessarily an unregulated discharge. We discharge every day. Yes, we, we have an outfall to discharge, if we do not discharge will have an overflow, which has other things that, that are tied to that. So, then, the problem was the Memorial Day holiday fell on a day where the discharge occurred, but the laboratory was unable to pick up the sample, carry it to the lab, and analyze that sample, due to, yes, insufficient lab staff too, to analyze an E. Coli sample. So that, that was the extent of what happened at Hopyard.

1:02:50.2 **Cathy Binder:** Thank you.

1:02:51.8 **Mark Inboden:** All right.

1:02:53.8 **Chairman Allen Parker:** Are there any questions? Anything else? Anything else, Mr. Miller?

1:02:58.6 **Christopher Miller:** I would just also add that and, and the Inboden personnel have indicated that if any of you all or any board of supervisors or anybody interested in, in having a tour of the facilities and, and getting a kind of a tutorial on the operation of, of either water or wastewater plants or both, please let me know and we'll set that up. Because they are, they are certainly available to do that and, and they're certainly, very, capable of providing a good overview of how things are operating.

1:03:31.9 **Mark Inboden:** I encourage it. It allows you kind of see the, that perspective, in, in the field perspective, and so, and we will make available, for a plant tour, at, at any time. So, we, we have a, a project manager or assistant project manager, our, our compliance manager or, or even me. Be happy to come up and, and take anyone and everyone that would be, you know, wanting to take a tour of the facilities. And that does not, you know, only include, your board members, but, yes, any, anyone in the public that wants, yeah, a, a guided tour of these facilities. We do that all the time, there are, county chamber of commerce that have, events at a lot of our facilities and, and we take them through tours of our plants. We teach them, tell them about water and wastewater treatment. Yes, where does their wastewater go and where does their drinking water come from? And so, it is, it's about a community and it's about involving the community as well. And we, we found that to be very beneficial in, in everything that we do. Chris, did you want me to bring up the, the other, part with the, the lead, the lead, 90 percentiles for, VDH? Okay. I am not, not sure what, what they all know about it. But in 2022, we have a, uh... We have a triannual requirement to test for lead and copper. It is a series of 20 samples, throughout the distribution system. And it, it monitors for lead and copper, and, and we have to meet certain thresholds, and it is called the 90th percentile. And so, if we collect eight or 20

samples, 18 of those, or, or 19 of those have to meet EPA limits. Well, in 2022, the samples were collected, as required. We got notification a couple of weeks ago that there was an indication that two of those samples did not meet the, the requirement for lead. Now, it could be one of two things. Could be sample error, could be the lab error we are not sure. but VDH has recommended that, uh and, and it is our recommendation as well. We have a, a full report on, on what we are recommending is to do an, an additional series of 20 analyses, to go out through the distribution system, collect another series of samples. to either one, validate or to invalidate, that initial series of samples., if... And, and it is purely optional for the county, but it's our recommendation that we do that and we're proceeding it in that manner. We have been authorized to go ahead and collect these additional samples, there is going to be an evaluation from VDH, to assess the cross activity of our water. And lead does not come from source water. It does not come from the ground, it comes from a different pipe and, and such at most... Most of the time it is household plumbing, and so if there's a, yes, one of the samples was, collected at, uh an, an older complex, that had, you know, known piping that was pre-1986. Before the ban of lead solder and lead pipes, to be used in, in common plumbing. And so, it, the, the lead never comes from source water. It always comes from, most of the time, interior household plumbing. And so, that is really where we believe this is coming from. but we are, we're doing this additional series of 20, to make sure that there are no issues. And if it comes back that we meet that 90th percentile requirement, VDH will not require us to go to additional monitoring, and they will not require us to add additional treatment enhancements. Which could include, you know, additional additives into the, the drinking water to make the water less corrosive. And so that is kind of where we are at with that. There's a, a litany of public notification requirements that we are working with, the county staff. We prepared, you know, working documents for them to provide and then, the water bills. And so, you guys will be seeing those coming shortly. but we've, we've kind of set up a, a system where, where you know, people can respond if they have questions. And I will notify our compliance department if people in your distribution system do have questions. So, we will field those questions from you, from your community ourselves and, and answer any, any concerns that they have.

**1:08:04.6 Cathy Binder:** I have two questions. One is, could you send the copy of the letter that you are going to send out to Mr. Miller to distribute to us? And then second thought of when you were explaining that you even love the community. Is there a way that we can arrange sometime in August or September to advertise to have a day of a tour so that we can advertise to the public, and to the staff if you can coordinate that? Whichever is best for you in August or September?

**1:08:30.8 Mark Inboden:** Absolutely. We would love to accommodate that. And it could be a select facility, it could be in the majority facilities. I do not think we could go to see

everyone every day. but it could be a series over the months we could visit everyone, and you guys can kind of see what is, what's going on at those facilities.

**1:08:47.0 Cathy Binder:** I just think it would be really good for the public. It might as that one customer found out, it is a little more complicated and, and it might be good. So, if we could coordinate, I think that might be a really good idea. Thank you.

**1:08:56.8 Mark Inboden:** Certainly.

**1:09:00.4 Chairman Allen Parker:** Is there anything else, Mr. Miller? Alright. I guess we are just looking for a motion.

**1:09:07.5 Vice Chairman Carrie Cleveland:** Mr. Chairman, I actually had a question for Mr. Miller...

**1:09:10.3 Chairman Allen Parker:** Okay.

**1:09:12.6 Vice Chairman Carrie Cleveland:** The issuance of the credits, which is great news because we...

**1:09:19.4 Christopher Miller:** Yes, ma'am.

**1:09:19.5 Vice Chairman Carrie Cleveland:** Always talk about bad news. So, I love this.

**1:09:21.5 Christopher Miller:** Yes.

**1:09:21.6 Vice Chairman Carrie Cleveland:** Okay? So, I just want to bring this up again. I, this is great, and I think it is a, a great positive announcement. I have a couple questions about this. How often is this granted?

**1:09:38.1 Christopher Miller:** I have just, will defer to Mark on that, but my understanding, I think it is an annual process. Is it not that you can do these, you can put your credits up on kind of like the open market and people bid on them. Is that correct?

**1:09:51.9 Mark Inboden:** Pre pretty much. it, it is, kind of a name your price, for your credits. And then DEQ will pick the lowest, you know, priced credits. lowest 14 I believe it is. but they, they have a dollar amount. So that, that dollar amount that you saw in that letter, that is the amount that DEQ had to purchase credits to disperse them, to facilities that did not, uh or, did not meet permit limits in regard to their general nutrient permits. The county, yes, met all of the requirements of the general nutrient permits, had an excess and abundance of credits to share for nutrients, and we were able to, yeah, assess

how many credits that we had available. We crunched a lot of the data and, and sent it over for the county too, to send over to DEQ. And, and we, prepared kind of a, a, a three prong, option for the county to choose from. and we kind of chose the middle of the road. Yes, you, you can see there, there's high variability and, and the credit price. You know, we are at four, yes, four and a half, whereas some, you're seeing 14, 21 that, but this is kind of like a, like a bid. Yes, you submit your bid. So, we do not really know where we would've fallen in, inside of this market, but we're near the lower side. But we are, we still, yes, it, our take was, you want a lot of a little or a little of a lot. Yes, or do you want to just be completely, you know, dismissed from the running altogether? Because you could price yourself out. and so that's kind of the approach that we took. Now that we have, yes, we went through one cycle of this, next year when, when we, provide the data again, we will probably reconfigure some of our analysis. It is a statistical analysis that we did, to determine what would be the best fit, to sell our credits. but right now, all the, and you have to be on the exchange too, to sell your credits. but right now, yes, everyone kind of sees what the pricing market is. And so, the ones that are on the higher side are going to trend lower. And the ones on the lower side, they are going to see, well, I can trend a little higher. And so, the grouping, if you will, is going to get a lot tighter in the years to come. So, do not necessarily have a good trend yet, but, yes, we're fortunate that we were able to get some money back, some funds back for the county.

1:12:18.6 Vice Chairman Carrie Cleveland: Yes, that is great. Thank you.

1:12:19.6 Mark Inboden: Sure.

1:12:19.7 Vice Chairman Carrie Cleveland: Yes. Great, great job.

1:12:23.5 Chairman Allen Parker: Is there any other comments? Alright. Looking for a motion.

1:12:30.3 Vice Chairman Carrie Cleveland: I move that we adjourn to August 1st, 2023, at 5:30 in the Robert H. Combs boardroom.

1:12:38.4 Cathy Binder: Second.

1:12:39.2 Chairman Allen Parker: I have a motion made and seconded. All those in favor?

1:12:41.0 Cathy Binder: Aye.

1:12:41.4 Vice Chairman Carrie Cleveland: Aye.

1:12:41.8 Ann Cupka: Aye.

1:12:42.2 James Morris: Aye.

1:12:42.7 Chairman Allen Parker: Chair votes aye. Motion carries. We adjourn until August 1st, 2023, at 5:30 PM here in the boardroom.

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