

A G E N D A

**MONTGOMERY COUNTY PUBLIC SERVICE AUTHORITY
Special Meeting
Multi-Purpose Room #2
Montgomery County Government Center
Monday, February 28, 2022
6:45 PM**

- I. CALL TO ORDER**
- II. DETERMINATION OF QUORUM**
- III. NEW BUSINESS**

A. Resolution Approving:

R-22-02-06

A Resolution Directing PSA Staff With Assistance From County Staff To Work With The Virginia Department of Health And The Virginia Attorney General's Office To Complete The Receivership Process For Operation Of The Bethel Woods Subdivision Waterworks, Dry Valley Subdivision Waterworks, Twin Boulders Subdivision Waterworks, Viewland Subdivision Waterworks And The Walton Farms Subdivision Waterworks

WHEREAS, the Bethel Woods Subdivision Waterworks ("Bethel Woods") is a privately owned community waterworks located in Montgomery County, Virginia, consisting of a well, bulk storage tank, booster pump station, chlorination facilities, hydro pneumatic tank and water lines serving approximately forty-seven (47) service connections and approximately one hundred twenty-six (126) year round residents; and

WHEREAS, the Dry Valley Subdivision Waterworks ("Dry Valley") is a privately owned community waterworks located in Montgomery County, Virginia consisting of a well, a hydro pneumatic storage tank and water lines serving approximately fifteen (15) service connections and approximately forty-eight (48) year round residents; and

WHEREAS, the Twin Boulders Subdivision Waterworks ("Twin Boulders") is a privately owned community waterworks located in Montgomery County, Virginia, consisting of a well, atmospheric and hydro pneumatic storage with booster pumps and water lines serving approximately twenty-nine (29) service connections and approximately ninety (90) year round residents; and

WHEREAS, the Viewland Subdivision Waterworks ("Viewland") is a privately owned community waterworks located in Montgomery County, Virginia consisting of a piped water system connected to the Montgomery County PSA water system serving approximately seventy-two (72) service connections and approximately two-hundred thirty (230) year round residents; and

WHEREAS, the Walton Farms Subdivision Waterworks ("Walton Farms") is a private owned community waterworks located in Montgomery County, Virginia consisting of a well, twenty-thousand (20,000) gallon bulk storage tank, chlorination system and booster pump with hydro tank and water lines serving approximately forty-five (45) service connections and approximately one hundred thirty-five (135) year round residents; and

WHEREAS, the Virginia Department of Health (“VDH”), Office of Drinking Water (“ODW”) has identified the New River Water Company, the Owner of Bethel Woods, Dry Valley, Twin Boulders, Viewland and Walton Farms, as being in non-compliance with the Public Water Supply Law and applicable regulations; and

WHEREAS, the New River Water Company has been non-compliant in its actions to bring the five (5) systems into compliance with VDH requirements, has indicated its desire to no longer operate the five (5) waterworks and has effectively abandoned the five (5) waterworks; and

WHEREAS, the ODW has approached the Montgomery County Public Service Authority (“Montgomery County PSA”) about accepting ownership of the five (5) waterworks owned by the New River Water Company in Montgomery County, Virginia; and

WHEREAS, the New River Water Company has been non-complaint with ODW in efforts to discuss transfer of ownership of the five (5) waterworks and related property to the Montgomery County PSA; and

WHEREAS, the ODW, in consultation with the Virginia Attorney General’s Office have determined that the best course of action is to transfer all operational responsibilities, including billing and collection of fees for the five (5) waterworks through the process of receivership to the Montgomery County PSA; and

WHEREAS, the ODW has arranged for the Montgomery County PSA to have access to various grant funds to rehabilitate/upgrade the five (5) waterworks in anticipation of the Montgomery County PSA accepting operational responsibilities and future ownership of the same.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Montgomery County Public Service Authority that the Board of Directors hereby direct Montgomery County PSA Staff, with assistance from County Staff, to work with VDH and the Virginia Attorney General’s Office to complete the receivership process through the Montgomery County Circuit Court for the Montgomery County PSA to take over operation of the private communities waterworks at Bethel Woods, Dry Valley, Twin Boulders, Viewland and Walton Farms from the New River Water Company.

IV. ADJOURNMENT