

AT A MEETING OF THE MIDDLESEX WATER AUTHORITY HELD IN THE
BOARD ROOM OF THE HISTORIC COURTHOUSE AT 6:00 P.M. ON
THURSDAY, APRIL 14, 2022:

Present: Greg Chambers, Chair
Janet Riggs, Vice Chair
Carlton S. Revere, Secretary
Lud Kimbrough
James Michael Reed, Treasurer

Matt Walker, Executive Director
Heather Lewis, Authority Attorney
Betty Muncy, Staff Secretary

CALL TO ORDER

The meeting was called to order by the Chairman, Greg Chambers, at 1:00 p.m. Mr. Chambers announced that this meeting was a special meeting called for the purpose of approving a supplemental resolution associated with closing loans with the USDA and for discussing the current rate/fee schedule.

PUBLIC COMMENT

Mr. Chambers opened the meeting for public comment. There were no comments offered from the public.

SUPPLEMENTAL RESOLUTION

Ms. Vivian Childs was present representing Sands Anderson, the bond counsel firm. Ms. Childs briefly reviewed the documents that were before the Authority for approval. These documents would allow the USDA to use their loans to pay off the interim financing approved in September with CoBank. The motion to authorize the execution and signing of all documents associated with the loan closing from USDA was made by Mr. Revere, seconded by Mr. Reed and carried unanimously.

**A SUPPLEMENTAL RESOLUTION OF THE MIDDLESEX WATER AUTHORITY
AMENDING THE RESOLUTION ADOPTED SEPTEMBER 16, 2020 AUTHORIZING
THE ISSUANCE AND SALE OF
\$5,000,000 WATER REVENUE BOND, SERIES 2020C AND
\$5,679,000 WATER REVENUE BOND, SERIES 2020D TO REFLECT ISSUANCE IN
2022**

WHEREAS, the Middlesex Water Authority (**the “Authority”**) is a public body politic and corporate of the Commonwealth of Virginia; and

WHEREAS, the Authority is authorized to acquire, construct, operate and maintain water systems in the County of Middlesex, Virginia (**the “County”**) and adopted a resolution on September 16, 2020 (**the “Authorizing Resolution”**) authorizing the issuance and sale of \$5,000,000 Water Revenue Bond, Series 2020C and \$5,679,000 Water Revenue Bond, Series 2020D (**together, the “Completion Bonds”**), and

WHEREAS, the Authority obtained interim financing in the amount of \$10,679,000 by the issuance of its Tax-Exempt Multiple Advance Term Promissory Note purchased by COBANK, ACB, a federally chartered instrumentality of the United States (**the “Interim Note”**) for capital expenditures for water system improvements, specifically the construction and equipping of a new regional water system in Eastern Middlesex County (Deltaville and surrounding areas) (**the “Project”**); and

WHEREAS, the Authority desires to adopt this Supplemental Resolution to amend the Authorizing Resolution to conform the maturity date for the Completion Bonds.

**THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS
OF THE MIDDLESEX WATER AUTHORITY:**

AMENDING PROVISIONS

The Authorizing Resolution is hereby amended as follows:

1. The definitions in the Authorizing Resolution are the same in this Supplemental Resolution except as specifically amended herein.
2. All references in the Authorizing Resolution to the Series 2020C Bond shall mean the Series 2022A Bond.
3. All references in the Authorizing Resolution to the Series 2020D Bond shall mean the Series 2022B Bond.
4. All references in the Authorizing Resolution to the Series 2020 Bonds shall mean the Series 2022 Bonds.
5. As to the Series 2022A Bond, the maturity date of the final installment shall be changed to 2062 and the references to the final installment shall read as follows:
“If not sooner paid, the final installment shall be due and payable on the fortieth anniversary of the Closing Date of the Series 2022A Bond in 2062.”
6. As to the Series 2022B Bond, the maturity date of the final installment shall be changed to 2062 and the references to the final installment shall read as follows:
“If not sooner paid, the final installment shall be due and payable on the fortieth anniversary of the Closing Date of the Series 2022B Bond in 2062.”
7. The form of the Series 2022 Bonds shall reference the supplemental resolution adopted by the Authority on April 14, 2022.
8. Except as amended by this Supplemental Resolution, all other terms of the Authorizing Resolution are hereby confirmed and are in full force and effect.

9. This Supplemental Resolution shall take effect immediately. The Secretary of the Authority Board is hereby authorized and directed to file a certified copy of this Supplemental Resolution in the Clerk's Office of the Circuit Court of Middlesex County, Virginia in accordance with Section 15.2-2607 and 2627 of the Public Finance Act and Section 15.2-5126 of the Act.

The members of the Authority Board voted as follows on the adoption of this Supplemental Resolution:

<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstentions</u>
Greg Chambers Janet Riggs James Reed Carlton Revere Lud Kimbrough			

APPROVED:

Dated: April 14, 2022



Chair, Middlesex Water Authority

CERTIFICATE

I, Carlton S. Revere, the undersigned Secretary of the Middlesex Water Authority (**the "Authority"**), hereby certifies that attached hereto is a true and correct copy of a Supplemental Resolution adopted by the Authority on April 14, 2022.

Carlton S. Revere

Secretary
Middlesex Water Authority

SEAL

RATES AND FEES

Authority members discussed the current rates and fee schedule, in effect since January 1, 2021, which included items that were due to change or expire on the date of the final loan closing, such as the ability to pay a deposit toward a connection fee and the connection fees themselves. Rather than tying these to loan closing, the Authority discussed making changes effective with project completion.

The motion to allow no new vacant lot subscriptions as of April 14, 2021, was made by Mr. Revere, seconded by Mrs. Riggs and carried unanimously. Vacant lot owners could connect at regular fees and be charged the same usage rate as a regular connection.

The motion to increase connection fees to the full amounts effective August 1, 2022, with no change to current rates was made by Mr. Revere, seconded by Mrs. Riggs and carried unanimously.

**EASTERN MIDDLESEX WATER SYSTEM PROJECT
CONNECTION RATES AND FEES
April 14, 2022**

Connection Fee	Meter Size:					
	Existing Vacant Lot Subscribers (1)	3/4"	1"	1 1/2"	2"	3"
Current Fee		\$ 7,500	\$18,750	\$37,500	\$60,000	\$90,000
Effective AUGUST 1, 2022		\$10,000	\$25,000	\$50,000	\$80,000	\$120,000

Rates						
Min. Rate per Month	\$20.00	\$45.00	\$45.00	\$45.00	\$45.00	\$45.00
Base gallons allowed / month	n/a	3,000	3,000	3,000	3,000	3,000

Rate/1,000 gallons over Base	n/a	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00
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- (1) The monthly rate for an existing vacant lot subscriber will remain at \$20.00 per month until they connect a structure to the water system, unless increased by the MWA. At the time of connection, the rate will increase to the regular rate currently in effect.

UNFINISHED/NEW BUSINESS

County Engineer:

Mr. Walker advised the Authority members that an engineer position remains in the County budget to be half funded by the Water Authority and who could function as the Executive Director. Mr. Walker hopes to be able to advertise the position soon and have someone hired by July.

Mr. Walker reported that the Authority would need to have their regular meeting in May and also possibly meet in June.

ADJOURN

There being no further business, the motion to adjourn until May 18, 2022, was made by motion of Mr. Reed, seconded by Mrs. Riggs, and carried unanimously.

Greg Chambers, Chair