



MINERAL COUNCIL SPECIAL MEETING AGENDA

April 29, 2025 at 6:30 PM

312 Mineral Avenue Mineral Virginia 23117

Phone: 540-894-5100 | townclerk@townofmineral.net

- A.** The below items were included in a notice to Town Council on April 22, 2025. In accordance with §15.2-1418, no matter not specified in that notice shall be considered at such meeting, unless all members are present. The notice may be waived if all members of the governing body attend the special meeting or sign a waiver.

CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. ADOPTION OF AGENDA

E. NEW BUSINESS

- 1.** Discussion regarding water system and solutions.
 - a. Prepare a Town statement regarding the water system.
- 2.** Discussion and action regarding Misuse of Authority by a Council Member.

F. EXECUTIVE SESSION (AS NEEDED)

In accordance with §2.2-3711(A)(7) and §2.2-3711(A)(8) of the Code of Virginia, Town Council will convene in Closed Session.

G. BACK IN SESSION

H. ADJOURN

Mayor- Ronald Chapman

Vice Mayor - Michelle Covert

Council Members: David Hempstead, Bernice Kube, Olivia McCarthy, Rebecca McGehee, JoAnna Von Arb.

Staff: Nicole Washington, Town Manager, Stephanie Dorman, Town Clerk, Kelly Singletary, Town Treasurer, Robert Sproul, Town Attorney

Town Council meets for its regular session on the second Monday of each month at 6:30 p.m. Persons wishing to be heard or having an item to be placed on the agenda should make their request to the Clerk of Council by the final Monday of the month preceding the meeting.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF HEALTH

OFFICE OF DRINKING WATER

Richmond Field Office

Karen Shelton, MD
State Health Commissioner

Madison Building
109 Governor St., 6th Floor
Richmond, VA 23219
Phone: 804-864-7409
Fax: 804-864-7520

SUBJECT: Louisa County
Waterworks: Town of Mineral
PWSID No: 2109525

February 5, 2025

Ms. Nicole Washington, Town Manager
Town of Mineral
PO Box 316
Mineral, Virginia 23117

Re: Exceeding Waterworks Permitted Design Capacity

Dear Ms. Washington:

It is Richmond Field Office's (RFO's) understanding that Well No. 4 has been offline for an extended period of time. The Operation Permit issued to the Town on June 17, 2020, lists Well No. 4 and a consecutive connection to Louisa County Water Authority (PWSID 2109510) as sources for the waterworks. The total source capacity on the operation permit is 201,600 gpd. Without Well No. 4 the source capacity drops to 93,600 gpd.

However, this capacity for the Louisa County Water Authority is based on the size of the pump that transfers water from the wholesale system to the Town and does not take into account any purchase agreements between the wholesale and purchasing systems. It appears that the purchase agreement does not have a firm capacity provided for the Town by the wholesaler. The intent of the connection was not to be the primary source of water for the Town, but a supplementary source of water with Well No. 4 being the primary source of water.

With no firm capacity, the actual source capacity is currently unknown. This is a concern as not having a firm capacity provided and no additional sources restricts the ability of the Town to expand and reduces reliability of the system. For example, Louisa County Water Authority will be at reduced treatment capacity at the plant in the near future due to a construction project in their sedimentation basins. If there were to be an issue at the plant, there would be some possibility that the Town would not be able to provide water at adequate quantity and pressure to its customers.

The Town must plan to address this potential issue with source capacity, or it may be in violation of the Public Water Supplies Law, Title 32.1, Chapter 6, Article 2 of the Code of Virginia, and Section 12VAC5-590-190 E of the Virginia *Waterworks Regulations* ("Regulations") for exceeding the waterworks permitted design capacity as established in the Operation Permit.

Section 12VAC5-590-190 E states, "Conditions may be imposed on the issuance of any permit, and no waterworks may be constructed, modified, or operated in violation of these conditions."

The Office of Drinking Water, Richmond Field Office requests that the Town review the attached Corrective Action Plan and associated deadlines to establish a timeline to evaluate and resolve the source water capacity concerns for the waterworks. Please review the document and should you find the action items acceptable, sign the document and return it to this office **no later than March 7, 2025**.

If you have any questions or concerns regarding this matter, please contact Azhar Mirza, District Engineer, at 804-664-4404 or email at Azhar.mirza@vdh.virginia.gov.

Sincerely,



James Reynolds, PE
Field Director
Richmond Field Office

JR

Enclosures:

1. Draft Corrective Action Plan
2. Draft Quarterly Progress Report Template

cc: Ryan McKay, Health Director, Blue Ridge Health District
Christian Goodwin, County Administrator- Louisa County
John Grubbs, Louisa County Building Official
Jarrett Talley, Capacity Development Supervisor, VDH-ODW

CORRECTIVE ACTION PLAN
Town of Mineral
PWSID 2109525

In response to the letter dated February 5, 2025 sent to the Town of Mineral related to source water capacity concerns, the Town proposes the following corrective action items with proposed timelines.

1. The Town will provide signed certification that water line extensions, water system expansions, or other waterworks modifications that may increase waterworks demand will be paused until additional source water capacity can be provided. The signed certification will be submitted **by March 31, 2025.**
2. The Town will hire a Professional Engineer, licensed in the Commonwealth of Virginia, to develop a Preliminary Engineering Report (PER) to evaluate alternatives to establish adequate source water capacity for the waterworks. The Town will submit the PER to RFO **by January 1, 2026.**
3. If the PER recommendations include construction, The Town will obtain a construction permit for the required construction **by January 1, 2027.**
4. The Town will complete construction for required modifications or additions to the water system as recommended in the PER **by January 1, 2028.**

Progress Reports

The Town shall notify RFO within 30 days of completion of any Corrective Action Plan item.


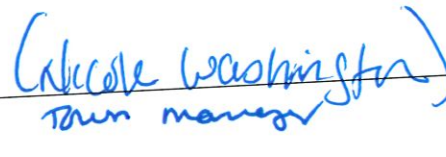

The Town shall provide the Office of Drinking Water with signed quarterly progress reports. The progress reports shall contain the following information:

- A description of work completed
- Any delays or possible modifications

Modifications to Scope of Work

The scope of work set forth in this corrective action plan and schedule may be modified based on new or unforeseen information or circumstances. The Town will submit any proposed modifications in writing to ODW for review and consideration for approval by no later than 30 days prior to the expiration of any deadline that the Town seeks to modify.

The Town agrees to fully implement the above corrective actions to bring the Waterworks into compliance with the Commonwealth of Virginia *Waterworks Regulations*.

Waterworks Owner/Agent

Town manager

Date

VA 2109525 Town of Mineral Quarterly Progress Report


Quarterly Progress Report – Town of Mineral VA 2109525

To be submitted January 10th, April 10th, July 10th and October 10th – until all terms of the Corrective Action Plan are completed.

As part of the Corrective Action plan the Town of Mineral shall provide the Office of Drinking Water with signed quarterly progress reports. The progress reports shall contain the following information

- A description of work completed
- Any delays or possible modifications

Corrective Action Plan Requirements	Status
Provide signed certification that water line extensions, water system expansions, or other waterworks modifications that may increase waterworks demand will be paused until additional source water capacity can be provided. The signed certification will be submitted by March 31, 2025.	
Hire a Professional Engineer, licensed in the Commonwealth of Virginia, to develop a Preliminary Engineering Report (PER) to evaluate alternatives to establish adequate source water capacity for the waterworks. The Town will submit the PER to RFO by January 1, 2026.	Will need to find funding to complete this task.
If the PER recommendations include construction, The Town will obtain a construction permit for the required construction by January 1, 2027.	Will need to find funding to complete this task.
The Town will complete construction for required modifications or additions to the water system as recommended in the PER by January 1, 2028.	Will need to find funding to complete this task.


Waterworks Owner/Agent

3/7/25
Date



Town of Mineral

P.O. Box 316
312 Mineral Avenue
Mineral, Virginia 23117
Phone 540-894-5100

April 15, 2025

Water Connection Restrictions Due to Source Water

The Town of Mineral received a notice from the Virginia Department of Health regarding the permit that the Town holds to purchase water from the Louisa County Water Authority (LCWA). This permit only allows the Town to purchase **supplemental** water from LCWA. With the Town Wells needing to undergo revitalization to assist with our source water production, the Town purchases 100% of its water from LCWA. Since this is against the permit that we have with VDH, the Town of Mineral cannot have any new water connections or new water demands that increase the demand placed on the LCWA.


The current permit authorizes the Town solely to procure supplemental water from the LCWA. The Town currently purchases 100% of its water from LCWA. This practice contravenes the existing permit issued by the VDH.

The Town of Mineral will continue to supply its citizens with water. However, to avoid straining the LCWA, we will not be establishing new water connections or accommodating additional water demands at this time.

The Town is currently revitalizing our Wells to improve source water production. This project will allow us to meet future water demands and new connection requests.

Please feel free to contact the Town office if you have any questions.

Regards,


Nicole Washington
Town Manager

April 25, 2025

To: Mayor Chapman – Town of Mineral

Re: Councilman Hempstead's actions

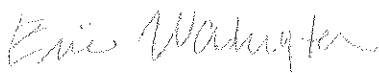
From: Eric Washington

Mr. Mayor,

Councilman Hempstead has abused his power as a council person, in my opinion. I have 2 projects, plus my house that I am overseeing in the Town and he has acted on behalf of the Council and Town to stop them.

- 1- 9th street development – I am managing the development of 9th Street for the homeowners. I have reached out to the County and VDOT to ensure everything is being done in accordance with the rules. I also made sure to check the ordinance in the Town and it says that the property owner is to develop the road if they want to get to or develop on their property. Mr. Hempstead came down to 9th Street and told the workers to stop immediately and were not allowed to be working. I spoke to Mr. Hempstead on the phone at the same time and told him he did not have the power to do this.
- 2- He has filed a complaint to DPOR about my renovation of my home at 611 Mineral Ave and the build of a new dwelling at 620 St Mary's which I have the right to build and sell. The DPOR complaint was submitted on behalf of the Town regarding what I am doing and my wife is doing at our house and then what I am doing for our other property. This is directly interfering with my livelihood and work and I do not believe the Town wants to be a part of interfering with someone's livelihood.

Thank you,


Eric Washington

FOR OFFICE USE ONLY	
LICENSE NUMBER:	
EXPIRATION DATE:	
FILE NUMBER:	

NOTE: The Department cannot guarantee anonymity. By law, all complaints received by the Department are subject to public disclosure once a case is closed. Therefore, if you wish to file a complaint anonymously, please do not submit the complaint electronically. In addition, do not include any personal information on the complaint form or any supplemental documents that reveal your identity. While the Department may accept an anonymous complaint, it will not proceed if it lacks sufficient information to support a regulatory or criminal violation.

COMPLAINT FILED BY

Name David E. Hempstead, Councilman
 Company Town of Mineral, Va.
 (Your company name if filing on behalf of a company)
 Mailing Address P.O. Box 142,
 City, State, and Zip Mineral, Va. 23117
 Phone Numbers (540) 748-2134
 BUSINESS CELL HOME/OTHER
 Email Address dhempstead03@gmail.com
 Address where problem occurred @20 St. Marys Avenue, Mineral, Va
 City/County Mineral/Louisa, Va 23117
 How did you hear about DPOR?
☐ Newspaper ☐ DPOR publication, speaker, or contact
☐ TV ☐ Referred by
☐ Radio ☒ Other On-Line Search
☐ Internet

**COMPLAINT
AGAINST**

Individual Name Eric Washington / Wife, Nicole Gunner Washington

Company W & W LCP, LLC

Address 611 Mineral Avenue (current)

City, State, and Zip Mineral, Va 23117

Phone Numbers Unknown

BUSINESS	CELL	HOME/OTHER

Email Address Unknown

Type of License and/or License Number 2705154724

To process a Complaint Form, supporting documents are needed, which may include the following:

ALL BOARDS	Copies of all relevant documentation, including, but not limited to: contracts, agreements, invoices, receipts, correspondence, and photographs (all pages - front and back)
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CONTRACTOR	Copy of contract, Proof of Payment, Building Official Documentation, Notice of Violation
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REAL ESTATE	Purchase Contracts, Listing Agreements, Settlement Statements, Cancelled Checks, Disclosure Statements, Management Agreements, Leases
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APPRAISER Copy of Appraisal

LAND SURVEYOR Copy of Survey

BARBERS & COSMETOLOGY Copy of Medical Records/Photos (re: injuries)

RECEIVED IN CAR ON:
January 30, 2025

SECTION III - COMPLAINT DESCRIPTION

Describe the complaint. If more room is needed, include an additional document with submittal.

W&W LCP License # 2705154724 has totally renovated a dilapidated early 1900's house at 611 Mineral Ave, Mineral, Virginia. The project began in early 2024, home was purchased by Eric Washington and Nichole Gano Washington. It was sold, in the early stages of renovation to another person, in April 2024, (I believe this is the correct date) with renovations by W&W continuing until completion toward the end of 2024. During this time period, W&W constructed a brand new house on a lot directly in back of 611 Mineral Ave. The address is 620 St Mary's Ave, Mineral, Va. This house sold in late January 2025 for \$389,000. W&W is currently building another new house directly next to 611 Mineral Ave. W&W appears to have been given building permits for these structures by the Louisa County Building Permits Office. Nicole Gano Washington, who is the co-owner of W&W is also the Town of Mineral's Planning and Zoning Officer. Mineral Planning and Zoning Officer is the person in Mineral who authorizes Louisa County Building Permits Office to issue a building permit for construction in Mineral. There is a clear conflict of interest here. Further information: Eric C Washington, Mineral Address was charged on 11/08/24 in the Charlottesville General District Court, Case # GC24003394-00 for a Felony titled "Obtain Money False Pretenses in excess of \$1000". One of the charging subsections of this crime is for obtaining money falsely for a construction job. I have attached the Online Case form/info to this complaint.

I wish to complain about the individual/business named above. I understand that a regulatory board does not have the authority to require a licensee to return money, correct deficiencies, or provide other personal remedies. I further understand that decisions regarding criminal prosecutions are at the discretion of the Department and the Commonwealth's Attorney. I am submitting this information so that the Department may determine whether disciplinary or criminal action against this individual or business should be considered. I verify under penalty of law that the information provided is true to the best of my knowledge.

Full Name David E. Hempstead, CouncilmanDate 1/30/2025

SECTION IV - HOW TO SUBMIT THIS FORM

Please return this form one of the following ways:

EMAIL * ➡ complaintanalysis@dpor.virginia.gov
 * BEFORE SUBMITTING VIA EMAIL, PLEASE SEE INSTRUCTIONS BELOW

FAX ➡ (866) 282-3932

MAIL ➡

Department of Professional and Occupational Regulation
 Compliance and Investigations Division
 Complaint Analysis & Resolution
 9960 Mayland Drive, Suite 400
 Richmond, Virginia 23233-1485

Contact Information:

Dept. of Professional and Occupational Regulation
 Complaint Analysis & Resolution

COMPLAINTS - (804) 367-8504

VA RELAY* - 7-1-1

EMAIL - complaintanalysis@dpor.virginia.gov

WEBSITE - www.dpor.virginia.gov

* Virginia Relay enables people who are deaf, hard of hearing, Deaf Blind, or speech disabled to communicate by TTY (text telephone) or another assistive telephone device with anyone who uses a standard phone.

* There is a size limit for documents submitted via email. If your attachments exceed 18 MB, a non-delivery receipt will be sent to you. If you exceed the limit, please submit the complaint form and supporting documents to the mailing address above.