

**JAMES RIVER WATER AUTHORITY
BOARD OF DIRECTORS
SPRING CREEK SPORTS CLUB
181 CLUBHOUSE WAY
ZION CROSSROADS, VIRGINIA
February 7, 2017
10:30 A.M.**

Present: Goodman Duke (Chairman), Joe Chesser (Treasurer), D.D. Watson, Mark Dunning, Steven Nichols, and Christian Goodwin

Others Present: Mr. Brendan Hefty, Legal Counsel (Hefty, Wiley, and Gore); Pete Morris (Faulconer Construction); Greg Krysiniaak (Faulconer Construction); Mike Knight (MBP Engineering), Joe Modica (MBP Engineering); Doug Wiley (property owner); and Joe Hines (Timmons Group)

CALL TO ORDER

Chairman Duke called the meeting of the James River Water Authority (JRWA) Board of Directors to order at 10:30 a.m. Mr. Nichols led the Board in the Pledge of Allegiance.

ADOPTION OF AGENDA

Mr. Hefty asked to add an action item for consideration of the correct Guaranteed Maximum Price (GMP) for the Comprehensive Agreement. On the motion of Mr. Nichols, seconded by Mr. Goodwin, which carried by a vote of 6-0, the Board approved the agenda.

APPROVAL OF MINUTES OF PRECEDING MEETINGS

On the motion of Mr. Chesser seconded by Mr. Nichols, which carried by a vote of 6-0, the Board approved the minutes of the December 6, 2016, meeting.

FINANCIAL REPORT

Bills included in the packet were considered. On the motion of Mr. Goodwin, seconded by Mr. Chesser, which carried by a vote of 6-0, the Board approved the payments.

Mr. Chesser reported that after the approved payments, the Authority's available balance is \$691,962.91.

DISCUSSION/INFORMATION ITEMS

Discussion – Update on Property Acquisition

Mr. Hefty noted that necessary Certificates of Take had been filed, and that a meeting was scheduled for February 8, 2017 with the property owners to discuss required access. He stated that the Authority now has defeasible title, and that the remainder of the process would result in indefeasible title.

Mr. Pete Morris noted that access processes had been finalized.

Mr. Duke asked about remaining steps to own the easements. Mr. Hefty outlined necessary steps and stated that a value could be determined through mediation or condemnation, and further stated that the landowners had not communicated a counteroffer. Mr. Hefty stated that the necessary processes would not delay construction.

Discussion – Army Corps of Engineers Permit Status

Mr. Joe Hines stated that a meeting was held on January 11, 2017 with the Department of Historic Resources (DHR), the Corps of Engineers, and an archeological specialist to move forward with the Section 106 process. The site visit on February 8, 2017 will allow submission of a scope to DHR prior to mid-February. DHR will review the scope to ensure that requirements are met, and will determine whether the Authority can move forward or if additional activities will be required.

Mr. Nichols asked if the Virginia Marine Resources Commission required further action to issue their approved permit. Mr. Hines responded that he and Mr. Hefty would communicate information showing ownership. Mr. Goodwin asked if the indefeasible status of ownership would be sufficient, and Mr. Hefty responded that it was sufficient. Mr. Hefty also stated that February 8, 2017 meeting would assist in ensuring permanent necessary access.

ACTION ITEMS

Consideration of Corrected GMP

Mr. Hefty stated that the Authority had initially authorized \$7,909,866.10 for the Comprehensive Agreement GMP. An error in calculations performed during the Authority Board meeting at which the agreement was adopted was since identified, and the correct amount should be \$7,938,731.00. On the motion of Mr. Nichols, seconded by Mr. Chesser, which passed by a vote of 6-0, the correct amount was approved by the Board.

Other

Mr. Nichols introduced Michael Knight, who will be replacing Walter “Nat” Perkins as the Authority’s representative from MBP Engineering. Mr. Knight reviewed his qualifications and answered questions from the Board.

Mr. Goodwin noted the need for proactive technical leadership and project completion on time and within budget, and conveyed the Authority’s expectation that Mr. Knight provide and facilitate the same. Mr. Knight responded that he understood, and that he intended to attend all JRWA meetings.

ADJOURNMENT

On the motion of Mr. Nichols, seconded by Mr. Watson, which carried by a vote of 6-0, the Board voted to adjourn the meeting at 10:53 a.m.

BY ORDER OF:

GOODMAN B. DUKE, CHAIRMAN
BOARD OF DIRECTORS
JAMES RIVER WATER AUTHORITY