

**JAMES RIVER WATER AUTHORITY BOARD OF DIRECTORS
SPRING CREEK SPORTS CLUB, 181 CLUBHOUSE WAY
ZION CROSSROADS, VIRGINIA**

**October 2, 2018
10:30 A.M.**

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

Absent: (none)

Others Present: Brendan Hefty, Legal Counsel (Hefty, Wiley, and Gore); Michael Knight (MBP); Eric Dahl (Fluvanna County); Greg Krystyniak and Fran Burke (Faulconer Construction); Joe Hines (Timmons Group); Pam Baughman (Louisa Water Authority), David Holtzman (the Central Virginian) and Doug Wylie.

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

On the motion of Mr. Chesser, seconded by Mr. Watson, which carried by a vote of 6-0, the agenda was approved.

APPROVAL OF MINUTES OF PRECEDING MEETING

On the motion of Mr. Chesser, seconded by Mr. Dunning, which carried by a vote of 6-0, the Board approved the minutes of the September 4, 2018, meeting.

FINANCIAL REPORT

Mr. Chesser reported on available funding (approximately \$516,000) and bills proposed for payment. On the motion of Mr. Watson, seconded by Mr. Dunning, which passed by a vote of 4-0, the Board approved payments to:

| | |
|---|--------------|
| Virginia Resources Authority/wire charge: | \$299,975.10 |
| Aqualaw | \$2,242.00 |

Remaining funds available to meet needs total approximately \$302,000. Mr. Dahl reported that Fluvanna had satisfied its portion of the debt service and that Louisa had been billed. Also, a requisition for additional funding from bond issuance has been initiated.

DISCUSSION/INFORMATION ITEMS

Information – Corps of Engineers (COE) Permit Update

Mr. Hines reported that the comment period from the COE expired last Friday, and that comments had been received from the Monacan Indian Nation, Preservation Virginia, the Virginia Canal Society and the Virginia Department of Historic Resources. The project team will hold a meeting with the COE and possibly other consulting parties next week, and will report back regarding the best path forward for the Memorandum of Agreement and Treatment Plan approval.

ACTION ITEMS

None

CONSENT AGENDA

None

CLOSED SESSION

On the motion of Mr. Goodwin, seconded by Mr. Watson, which carried by a vote of 6-0, the Board voted to enter Closed Session at 10:38 a.m. for the purpose of discussing the following:

1. In accordance with §2.2-3711(A)(8) for consultation with legal counsel regarding the Memorandum of Understanding with the Corps of Engineers.

RESUMPTION OF REGULAR SESSION

On the motion of Mr. Watson seconded by Mr. Goodwin, which carried by a vote of 6-0, the Board voted to return to regular session at 11:35 a.m.

RESOLUTION - CERTIFICATION OF CLOSED SESSION

By roll call, which carried by a vote of 6-0, the Board voted to adopt the following resolution:

WHEREAS, the James River Water Authority Board of Directors has convened a Closed Meeting pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712.D of the Code of Virginia requires a certification by the James River Water Authority Board of Directors that such closed meeting was conducted in conformity with the Virginia Law.

NOW, THEREFORE BE IT RESOLVED that the James River Water Authority Board of Directors does hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were

discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting was heard, discussed or considered by the James River Water Authority Board of Directors.

| <u>NAME</u> | <u>VOTE</u> |
|----------------------|-------------|
| Goodman B. Duke | Yes/Aye |
| Joe Chesser | Yes/Aye |
| Mark Dunning | Yes/Aye |
| D.D. Watson | Yes/Aye |
| Christian R. Goodwin | Yes/Aye |
| Steven M. Nichols | Yes/Aye |

Mr. Hines reported to the Board that the Cobbs Creek project was in progress and would be a good opportunity for site visits on a similar effort. Discussion regarding adverse effects and mitigation ensued. Mr. Hines will coordinate visits with Board members as desired.

ADJOURNMENT

On the motion of Mr. Nichols, seconded by Mr. Chesser, which carried by a vote of 6-0, the Board voted to adjourn the meeting at 11:40 a.m.

BY ORDER OF:

GOODMAN B. DUKE, CHAIRMAN