

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

**November 6, 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); Greg Krystyniak (Faulconer Construction); Joe Hines (Timmons Group); 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. Nichols, seconded by Mr. Watson, which carried by a vote of 6-0, the agenda was approved with the addition of:

- Bill – Hefty, Wiley and Gore
- Discussion – Project Plans Review

APPROVAL OF MINUTES OF PRECEDING MEETING

On the motion of Mr. Nichols, seconded by Mr. Watson, which carried by a vote of 6-0, the Board approved the minutes of the October 2, 2018, meeting.

FINANCIAL REPORT

Mr. Chesser reported on available funding 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: MBP; (Engineering/Consulting); Aqualaw (Legal/Permit Consulting); and Hefty, Wiley and Gore (Legal Services).

Remaining funds available to meet future needs total approximately \$545,144.20, according to Mr. Chesser.

DISCUSSION/INFORMATION ITEMS

Information – Corps of Engineers (COE) Permit Update

Mr. Hines reported a meeting with the Consulting Parties for the permit was held on October 31st. The permit team is addressing comments from the meeting and a revised Memorandum of Agreement for the project will be complete this week. The project Treatment Plan, which addresses construction processes and artifact handling/storage will be updated as well. Required signatories in the process include the JRWA, the COE, and the Department of Historic Resources.

Information – Project Plans Review

Mr. Nichols reported that Erosion and Sediment Control plan consideration by Fluvanna County staff is nearing completion. The three plan sets will be circulated for final review/signature by Fluvanna's Public Works Director, Erosion/Sediment Coordinator and Planning Director prior to acceptance by the JRWA.

Mr. Goodwin motioned that in the interest of efficiency, the JRWA authorize Mr. Nichols to sign on behalf of the JRWA for this purpose. Mr. Watson seconded the motion, which passed by a vote of 6-0.

ACTION ITEMS

None

CONSENT AGENDA

None

CLOSED SESSION

On the motion of Mr. Nichols, seconded by Mr. Chesser, which carried by a vote of 6-0, the Board voted to enter Closed Session at 10:39 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. Goodwin seconded by Mr. Watson, which carried by a vote of 6-0, the Board voted to return to regular session at 11:34 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. Goodwin, seconded by Mr. Nichols, which carried by a vote of 6-0, the Board voted to adjourn the meeting at 11:34 a.m.

BY ORDER OF:

GOODMAN B. DUKE, CHAIRMAN