

**JAMES RIVER WATER AUTHORITY BOARD OF DIRECTORS
SPRING CREEK SPORTS CLUB, 109 CLUBHOUSE WAY
ZION CROSSROADS, VIRGINIA**

**January 8, 2019
10:30 A.M.**

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

Absent: (none)

Others Present: Brendan Hefty, Legal Counsel (Hefty, Wiley, and Gore); Greg Krystyniak (Faulconer Construction); Joe Hines (Timmons Group); Pam Baughman (LCWA); and Doug Wylie.

CALL TO ORDER

Vice Chairman Watson called the meeting of the James River Water Authority (JRWA) Board of Directors to order at 10:33 a.m. Mr. Nichols led the Board in the Pledge of Allegiance.

ADOPTION OF AGENDA

Mr. Goodwin asked that a discussion item be added concerning the Chairman's position. On the motion of Mr. Goodwin, seconded by Mr. Nichols, which carried by a vote of 5-0, the amended agenda was adopted.

APPROVAL OF MINUTES OF PRECEDING MEETING

On the motion of Mr. Nichols, seconded by Mr. Chesser, which carried by a vote of 5-0, the Board approved the minutes of the December 4, 2018, meeting.

FINANCIAL REPORT

Mr. Chesser reviewed the bills included in the board packet for consideration and stated that the payments left the Authority with a balance of \$575,837.25 to meet continuing obligations. On the motion of Mr. Nichols, seconded by Mr. Dunning, which passed by a vote of 5-0, the payments and report were approved.

DISCUSSION/INFORMATION ITEMS

Discussion – Corps of Engineers (COE) Permit Update

Mr. Hines reported that the comment period on the current revision of the Memorandum of Understanding (MOA) had closed and that the agency was reviewing comments. Further consideration of one site may be necessary, and associated efforts will take place to determine if

the site needs to be incorporated in Phase 3 recovery. JRWA had initially stipulated this but the Department of Historic Resources requested further Phase 2 efforts for determination. Mr. Hines stated that fieldwork could take 30 days and the report another 30 days. Mr. Chesser asked about next steps, and Mr. Hines responded that this would be up to the COE pending further review of comments.

Discussion – Chairman Position

Mr. Goodwin reported that Mr. Duke had announced his resignation from the Board at the end of 2018. He stated that the Board would likely appoint a replacement and asked Mr. Hefty for a recommendation regarding the Chairman position. Mr. Hefty stated that officer positions were 2 year terms and that the current terms expected June 30, 2019. He recommended that the JRWA elect a new Chairman. Mr. Goodwin nominated Mr. Watson to serve as Chairman. Mr. Nichols seconded the motion, which passed by a vote of 5-0. Mr. Goodwin nominated Mr. Dunning to serve as Vice Chairman. Mr. Nichols seconded the motion, which passed by a vote of 5-0.

ACTION ITEMS

(none)

CONSENT AGENDA

(none)

CLOSED SESSION

On the motion of Mr. Nichols, seconded by Mr. Chesser, which carried by a vote of 5-0, the Board voted to enter Closed Session at 10:44 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. Chesser, seconded by Mr. Dunning, which carried by a vote of 5-0, the Board voted to return to regular session at 11:51 a.m.

RESOLUTION - CERTIFICATION OF CLOSED SESSION

By roll call, which carried by a vote of 5-0, 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>
Joe Chesser	Yes/Aye
Mark Dunning	Yes/Aye
D.D. Watson	Yes/Aye
Christian R. Goodwin	Yes/Aye
Steven M. Nichols	Yes/Aye

ADJOURNMENT

On the motion of Mr. Nichols, seconded by Mr. Watson, which carried by a vote of 5-0, the Board voted to adjourn the meeting at 11:51 a.m.

BY ORDER OF:

D.D. WATSON, CHAIRMAN
BOARD OF DIRECTORS
JAMES RIVER WATER AUTHORITY